3584 Birch Bay Lynden Road
Custer, WA 98240

March 11, 2002

Federal Energy Regulatory Commission
888 First Street NE Room 1A
Washington DC, 20426

RE: Georgia Strait Crossing Project

To Whom It May Concern:

I write to convey the value of my property at 3584 Birch Bay Lynden Road, Custer. The Williams Gas Company plans to run a portion of the Georgia Straight Crossing Pipeline through my property, which will destroy the property value.

I have an Associates Degree in horticulture and have been in the nursery and landscaping business for thirty years. I have a deep understanding of the monetary and aesthetic value of plants and trees. I also have experience in the value of lumber, as my father (co-owner of above-mentioned property) and myself, have also worked in the timber industry.

I purchased my ten-acre parcel in 1985. At that time it was 95% natural timber. My ex-wife and I saw this land as a god-created park that we hesitated to destroy for personal gain. However, financially we could not afford a ten-acre park. In order to justify our investment we decided to consider this land an overgrown landscape that we were hired to bring under control. First, we considered existing natural windbreaks and left them on all four sides. Next, we cleared the center, leaving mature trees. Finally, we refurbished an existing pond, leaving mature trees around it.

Williams Gas Company intends to pay me the timber value of the trees they wish to destroy. However, my price is not the value of the trees as timber, but the actual value of the trees in relation to their purpose in the landscape. If the pipeline were installed, the natural windbreaks we secured will be destroyed, leaving mature trees vulnerable to high winds. Therefore, removing just a few trees effects the value of every tree on the property, as well as the entire property value. 1

If Williams Gas Company chooses to destroy my property the price will be much greater than they anticipate. It is in everyone's best interest for an alternate route to be used.

Sincerely,

Budd Askew

Budd Askew
BA/tw

cc: Georgia Strait Crossing Project

Received 10/15/03
Bellingham Public Hearing
Bev Poston – Hearing Office

Testimony –
Budd Askew
Bellingham Public Hearing
October 15, 2003
Bev Poston – Hearing Officer

Before:

After:

Subject: FW: G.S.X. project
Date: Wed, 22 Oct 2003 12:46:23 -0700
From: "Hosner, Sheila" <SHOS461@ECY.WA.GOV>
To: "Richard Butler (rbutler@shap.com)" <rbutler@shap.com>,
"Wenger, Barry" <BWEN461@ECY.WA.GOV>,
"McFarland, Brenden" <bmcf461@ECY.WA.GOV>,
"'Powell, Tim L'" <Tim.L.Powell@Williams.com>

Comment letter
-----Original Message-----
From: v-twinsupermart@inetmail.att.net [mailto:v-twinsupermart@inetmail.att.net]
Sent: Wednesday, October 22, 2003 12:01 PM
To: Hosner, Sheila
Subject: G.S.X. project

To the Dept. of Ecology.

We have been dealing with the Williams co. and FERC. since Jan. 12, 2000. At that time we were advised that they would survey our property for a proposed pipeline unless we asked them not to. We responded that we would rather they didn't and they came on our property and surveyed anyway. Since that time we have aggressively opposed the GSX project.

At public meetings and through correspondence many people including the Whatcom co. council have expressed their opposition to the GSX. The FERC has dismissed all these objections and approved the project. They also have the option of exercising eminent domain.

I think the FERC should exercise it's mandate to serve the citizens of the United States rather than the interests of the oil and gas pipeline companies. It is wrong to take people's land to provide gas to Canada with no benefit to Washington state or Whatcom Co. 1

I am glad that you understand the damage to our environment that this GSX project would do.

I wish you all the luck in dealing with FERC and the Williams co.

Sincerely,
Alan F. Bell

Subject: FW: Georgia Strait Pipeline Project
Date: Wed, 22 Oct 2003 12:48:45 -0700
From: "Hosner, Sheila" <SHOS461@ECY.WA.GOV>
To: "Richard Butler (rbutler@shap.com)" <rbutler@shap.com>,
"McFarland, Brenden" <bmcf461@ECY.WA.GOV>,
"Wenger, Barry" <BWEN461@ECY.WA.GOV>,
"'Powell, Tim L'" <Tim.L.Powell@Williams.com>

comment letter
-----Original Message-----
From: v-twinsupermart@inetmail.att.net [mailto:v-twinsupermart@inetmail.att.net]
Sent: Wednesday, October 22, 2003 12:33 PM
To: Hosner, Sheila
Subject: Georgia Strait Pipeline Project

To Dept. of Ecology,
We have 10 acres of woods, we have 6 acres under open space - timberland we have done this so that we will always have trees and a place for the wild life and we wish to pass this on to our kids. Williams Co. want to go right down our road. We have lots of underground springs in our area, the ground moves a lot because of the sand and springs. They also want to cut trees down. 1

William Co. has not been honest or straight forward on anything they have done or said, how am I to believe that they will be responsible in their pipeline construction.

I feel Canada has already stated that B.C. Hydro find a better way to deliver power to Vancouver Island. So why is Williams Co. pushing this if they have no customers. Greed is Williams Co. motivation at the expense of land owners, wildlife and the land. 2

I do not want or need this pipeline.

Sincerely,
Kelly L. Bell

10/28/03 12:54 FAX 425 649 7098 DEPT OF ECOLOGY 002

OCTOBER 21ST 2003

RECEIVED
OCT 24 2003
DEPT OF ECOLOGY

SHEILA HOSNER
DEPARTMENT OF ECOLOGY
3190 – 160TH AVENUE SE
BELLEVUE, WA 98008-5452

[redacted] RE: GSX PIPELINE

DEAR MS. HOSNER,

SOMETIMES ONE MONTH IS NOT ENOUGH TIME FOR A CITIZEN TO ADEQUATELY STUDY A DSEIS AND INTELLIGENTLY RESPOND. SUCH IS MY SITUATION. BUT, PLEASE KNOW THAT MY LACK OF A SUBSTANTIVE RESPONSE (OR EVEN A TYPED ONE) DOES NOT DIMINISH THE SERIOUS CONCERNS I HAVE ABOUT THIS PROJECT. [PLEASE NOTE THAT IN THE LAST MONTH RESPONSES WERE DUE TO ALSO TO THE BIRCH BAY GROWTH MANAGEMENT SUB-AREA PLAN AND WITHIN A WEEK, COMMENTS ARE DUE ON THE PROPOSED CO-GENERATION PLANT AT CHERRY POINT. NOT TO MENTION THAT I WORK FULL TIME – 11 HOURS A DAY WITH THE COMMUTE BY BUS, AND I WAS OUT OF TOWN TWO WEEKENDS, AN. IN TUCSON FIVE DAYS, I THOUGHT I COULD READ THE DOCUMENTS AND WRITE MY CONCERNS LAST WEEKEND, BUT THE RAIN SOAKED THE CARPET IN ONE ROOM AND THAT TOOK PRIORITY OVER THE DSEIS.

SO, WITHOUT READING THE ^ DSEIS EMRE
AND COMPARING IT TO THE FERC EIS,
I AM CONCERNED ABOUT MANY
ISSUES THAT WERE GLOSSED OVER AND
INADEQUATELY ADDRESSED, BELOW IS WHAT
I CAN RECALL FROM MEMORY.

I. ALTERNATIVES

AT THE ORIGINAL CITIZENS MEETING
THAT FERC HELD AT LYNDEN
HIGH SCHOOL (THE FIRST TIME I
EVEN HEARD ABOUT THE PROJECT, BUT
WILLIAMS PIPELINE WAS ALREADY
PURCHASING WHATCOM COUNTY PROPERTY
FROM UNWILLING FARM OWNERS, SO
WE ALL KNEW THIS PROJECT WAS
A "DONE DEAL" AND THEY (FERC WAS)
JUST GOING THROUGH THE MOTIONS
OF A PUBLIC HEARING) I DO NOT
RECALL ANYONE EVEN MENTIONING
THAT THERE WAS ALREADY A
PIPELINE THAT WENT FROM THE
CANADIAN MAINLAND TO VANCOUVER
ISLAND. I WAS TOLD THAT THE
PIPELINE WAS GOING TO AND THROUGH
THE U.S. BECAUSE CANADA WOULDN'T
ALLOW ~~TOO~~ IT TO GO THROUGH THE
SURREY PORTION OF THE LOWER
MAINLAND (BECAUSE IT WAS TOO
POPULATED). LIKE, BIRCH BAY, A DESIGNED
URBAN GROWTH AREA WON'T BECOME POPULATED
TERRESEN HAS PROPOSED TO INCREASE
AND EXPAND

1

2

10/28/03 12:55 FAX 425 649 7098 DEPT OF ECOLOGY 004

SHEILA HOSNER-DOE
-2- GSX

THE FLOW OF NATURAL GAS TO VANCOUVER ISLAND TO ACCOMMODATE THE INCREASED DEMAND, VIA AN ALREADY EXISTING PIPELINE.

THIS IS A VIABLE ALTERNATIVE! AND ONE THAT WONT CAUSE FUTURE HARM TO THE ENVIRONMENT

IT IS MENTIONED, BUT NOT ADDRESSED. 2

IS THERE A PROBLEM WITH THE ADEQUACY OF TERASEN'S PROPOSAL?

I THOUGHT THE WHOLE PURPOSE OF "DOING" AN EIS WAS TO LOOK AT ALTERNATIVES; AMONG OTHER THINGS AND IF THERE WAS AN ALTERNATIVE TO RISKING DISTURBING (AND POSSIBLY INJURING IN THE FUTURE) A SENSITIVE ENVIRONMENT, THAT ALTERNA WOULD BE THE PATH TAKEN.

SO, WHY DO WE HAVE TO PUT A SECOND PIPELINE ACROSS A SENSITIVE AND UNIQUE ESTUARY? (THE 2ND LARGEST ESTUARY IN THE U.S.!)

WHY ARE WE GIVEN NO REASON(S) OTHER THAN PROFIT FOR WILLIAMS INSTALLING A PIPELINE FROM CHERRY POINT TO

10/28/03 12:55 FAX 425 649 7098 DEPT OF ECOLOGY 005

THIS POTENTIAL DISASTER OFFERS NO BENEFIT JUSTIFYING THE IRREPARABLE DAMAGE TO SHELLFISH BEDS, MARINE LIFE, FRAGILE MARINE ECOSYSTEMS, AND PRECIOUS NATURAL RESOURCES. 3

VANCOUVER ISLAND?

I THINK THE CITIZENS SHOULD SEE THE JUSTIFICATION FOR WHY THE TERASEN PIPELINE IS NOT ADEQUATE, OR WHY THEIR PROPOSAL IS NOT ADEQUATE. THE TERASEN PIPELINE DOES NOT CROSS ANY MARINE SHORELINE.

LONG ISLAND SOUND, BETWEEN CONNECTICUT AND LONG ISLAND, NEW YORK, ALSO WAS SUBJECT TO MULTIPLE NATURAL GAS LINES AND THE PROLIFERATION OF ENERGY TRANSMISSION PROJECTS, AND A FERC EIS. THAT PROPOSED PIPELINE SUFFERED A SETBACK BECAUSE THE STATE (CT) DEPARTMENT OF ENVIRONMENTAL PROTECTION RULED YET AGAIN THAT THE PROJECT CLASHES WITH A KEY FEDERAL ENVIRONMENTAL LAW: THE COASTAL ZONE MANAGEMENT ACT, WHICH IS SUPPOSED TO PROTECT ENVIRONMENTALLY SENSITIVE COASTAL REGIONS (LIKE ESTUARIES WITH LOTS OF ISLANDS) AND EFFECTIVELY GIVE VETO POWER OVER PROJECTS AFFECTING SUCH AREAS. 4

HAS ANYONE LOOKED INTO THIS?

* WHY DOESN'T THE COASTAL ZONE MANAGEMENT ACT APPLY? HGRC

P. THERE IS NO MENTION OF THE CHERRY POINT AREA RECENTLY BEING DESIGNATED AS AN AQUATIC RESERVE AND ANY NEW REQUIREMENTS THAT IMPOSE ON POTENTIAL DEVELOPMENT AND INDUSTRY, OR EVEN LEGAL

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SHEILA HOSMER - DOE
GSX
-3-

REQUIREMENTS, IF THERE ARE NOT ANY MINERAL RIGHTS TO A LAND PARCEL, TO WHAT DEPTH DOES THE AQUATIC RESERVE NOW OWN THE SHORELINE AND DO THEY NOW HAVE JURISDICTION TO SAY WHAT CAN OR CANNOT GO UNDER THEIR RESERVE AND WHAT DOES OR DOES NOT AFFECT THEIR RESERVE? THESE ISSUES MUST BE ADDRESSED BEFORE ANY PIPELINE IS APPROVED, THIS APPLICATION CANNOT BE "GRANDFATHERED" IN BECAUSE IT WOULD THEN CIRCUMVENT THE PURPOSE AND INTENT OF THE AQUATIC RESERVE DESIGNATION. A NEW PERMIT MUST BE ACQUIRED TO TRESPASS OVER, UNDER, OR THROUGH THE AQUATIC RESERVE. ONE THAT MEETS ANY AND ALL DNR REQUIREMENTS. DEPARTMENT OF ECOLOGY, PLEASE DO YOUR JOB, AND MAKE SURE THIS IS ADDRESSED BY AND THROUGH THE AUTHORITIES WHO ARE THE "CARETAKERS" OF THE RESERVE. (DNR - WASHINGTON DOUG ROBERTS.?) SOMEONE SAID SOMETHING ABOUT A SCOPING MEETING ON OCT. 22ND BUT THE PUBLIC WASN'T INVITED TO HEAR WHATS GOING ON AT THAT MEETING. AND WHERE IS IT? 5

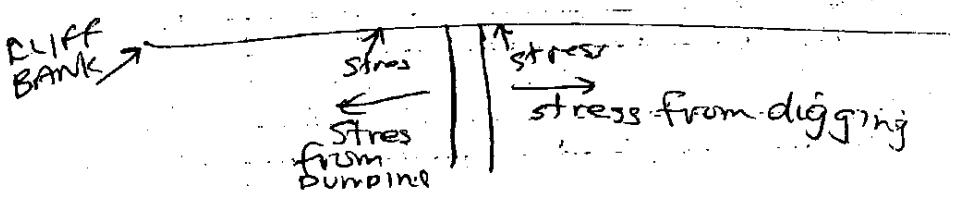
THERE ARE SO MANY OTHER ISSUES THAT I DONT HAVE TIME TO →

ADDRESS, SUCH AS THE SOIL COMPOSITION OF THE BLUFF AT CHERRY POINT. IS IT CLAY OR SAND?

IF THE DRILL DOWN UNDER IT HOW DOES THAT AFFECT THE ENTIRE STABILITY OF THE BLUFF.

THE NEIGHBOR BELOW AT BIRCH BAY THE ONLY CUT THE BLUFF AT THE PROPERTY LINE — A STRAIGHT LINE. IT CAUSE A CAVE-IN ON MY PROPERTY AT THE PROPERTY LINE, WHICH CAUSED A 3 PROPERTY WIDE STRESS CRACK, DEPTH UNKNOWN IS' ABOVE ~~KOR~~ ORIGINAL CAVE-IN LATER, NEIGHBORS PROPERTY CAVED IN 25' DEEP, IN A "V" SHAPE

IF THEY DRILL DOWN TO INSERT THE PIPELINE, HOW WILL THAT AFFECT SPLITTING, STRESSING, CAVING IN, AND FURTHER DETERIORATION OF THE BLUFF? ANY TRUE STUDIES?



6

10/28/03 12:56 FAX 425 649 7098 DEPT OF ECOLOGY 001

SHEILA HOSNER - DOE
-4- GSX

2. NOISE

THE AREA THAT EXPERIENCES THE MOST NOISE IS THE COTTONWOOD BEACH AREA OF BIRCH BAY. FROM THE CHERRY POINT INDUSTRIAL AREA

THERE HAVE BEEN NO NOISE MONITERS PLACED IN THAT AREA, NOR HAS THERE BEEN ACCURATE MODELING.

(1) MODELING IS DONE IN DRY, ARTIFICIAL "LABS" OR BOXES. NOISE FROM THE SITE AREA AT CHERRY POINT CROSSES OVER WATER. NOISE TRAVELS A LOT CLEARER AND LOUDER ~~HERO~~ AND FARTHER ACROSS WATER AND ESPECIALLY ON CLEAR SUMMER EVENINGS WHEN THE AIR IS DAMP — ONE CAN HEAR (FROM BIRCH BAY ST PARK) A MOTORCYCLE MAKE ALL ITS SHIFTS TO + FROM STOPS SIGNS ALMOST INTO BLAINE ON DAMP SUMMER EVENING — I HAVE TESTED THIS IN THE WINTER. 7

(2) SCIENCE FOR TESTING IS BOGUS. I WAS TOLD THAT ~~SOUND~~ SINCE THE PUMP THAT WOULD BE SUCKING THE GAS DOWN FROM BRITISH COLUMBIA (BY THE WAY, WHY WASN'T THE ALTERNATIVE DISCUSSED ABOUT PUMPING IT DOWN FROM B.C.?) 8

WAS NOT LOUDER IN DECIBALS IN NOISE THAN WHAT THE REFINERY IS ALREADY PRODUCING OR EMITTING?

THEREFORE, IT EQUALS NO INCREASE IN NOISE. I GUESS THEY ARE SUGGESTING THAT NOISE CANNOT BE CUMMULATIVE; IN EFFECT,

NOISE A + NOISE B = NOISE A

WERE WE GIVEN ANY TRUE SCIENTIFIC TESTS THAT SHOW THIS? IS TRUE

THIS IS ONE OF MANY OF THEIR MODELING SCHEMES THAT IS INACURATE, UNSUBSTANTIATED, AND NOT SCIENTIFICALLY FACTUAL.

IN FACT MANY, IF NOT ALL, OF THEIR MODELING IS SUSPECT, OR ESTIMATED LOW.

NO SANCTIONS ARE MENTIONED FOR WILLIAMS IF THE REALITY OF THEIR PIPELINE GOES OVER MANY, OR EVEN ALL, THEIR "PROJECTIONS"

THIS NOISE THEORY IS PREPOSTEROUS! NOISE INCREASES IN A ROOM IF MORE THAN ONE PERSON SPEAKS IN A LOW CONVERSATIONAL TONE OR VOICE, TWO PEOPLE TALKING IS LOUDER THAN ONE, NOISE DOESN'T ABSORB NOISE

8 cont.

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SHEILA HOSNER - DOE
GSX

-5-

WHO DETERMINED THAT THE NOISE WOULD NOT IMPACT MARINE ANIMALS?

ANY ACTUAL STUDIES?

WITH ALL THE NEW + RECENT DATA ON SONAR AFFECTING WHALES, HAS ANYONE BEEN ABLE TO PROVE THAT THE NOISE FROM A CONSTANT DREDGING HOUR AFTER HOUR, DAY AFTER DAY, DOESN'T INTERFERE OR AFFECT THE COMMUNICATION SYSTEM BETWEEN WHALES? OR AT LEAST IMPAIR THEIR ABILITY TO HEAR SONAR IMPULSES?

IF NOT, WHY SHOULD OUR PUGET SOUND WHALES BE GUINEA PIGS FOR AN UNNECESSARY PIPELINE? WE ALREADY HAVE WHALES BEACHING THEMSELVES, AREN'T THE WHALES SUPPOSED TO BE PROTECTED?

I DEMAND TO SEE CLEAR AND CONVINCING EVIDENCE, OTHERWISE WE MUST GO WITH TERASEN'S PROPOSAL.

AFTER HEARING ALL THE TESTIMONY AT THE FIRST FERC HEARING (THE EXPERT MARINE WITNESSES,

9

10/28/03 12:57 FAX 425 649 7098 DEPT OF ECOLOGY

* AND THE HORRIBLE WAY U.S. CITIZENS HAVE BEEN TREATED BY WILLIAMS EMPLOYEES TRYING TO COERCE THEIR PROPERTY FROM THEM; AND THE FACT THAT THERE IS NOT A SINGLE BENEFIT FOR THE U.S. (A FEW JOBS) AND CANADA DOESN'T WANT A CO-GEN PLANT

→ THE WWU HUXLEY COLLEGE PROFESSOR WHO SAID FERC'S EIS WOULD NOT EVEN GET A PASSING GRADE IN HER CLASS!!!), AND KNOWING THAT THE TERASEN PROPOSAL IS A VIABLE ALTERNATIVE, AN HAVING WORKED FOR THE U.S. DEPT. OF JUSTICE ON THE EXXON VALDEZ DISASTER, THE WILLIAMS PIPELINE PROPOSAL IS

UNCONSCIOUSNABE!

I DO NOT HAVE ANYMORE TIME TO RESEARCH THIS MATTER OR EVEN CITE STUDIES I HAVE BURIED IN PAPER-WORK AT HOME.
WE MUST CHOSE THE LEAST ENVIRONMENTALLY DAMAGING ALTERNATIVE, WHICH IS TERASEN'S PROPOSAL.

PLEASE READ THE ENCLOSED LETTER FROM THE Commissioner OF THE CONNECTICUT'S DEPARTMENT OF ENVIRONMENTAL PROTECTION IT RAISES ISSUES THAT ARE SIMILAR TO THE GSX PIPELINE. PLEASE ENTER THE LETTER WITH MY/AND AS MY COMMENTS. I WISH I HAD MORE TIME. THANK YOU!

PROTECT OUR BEAUTIFUL AREA!

SINCERELY, Cathy Cleveland

CATHY CLEVELAND 4961 MORGAN DR BLAINE, WA

ENCLOSED!

4

October 25, 2003

Sheila Hosner

WA State Department of Ecology

3190 160th Avenue SE

Bellevue, WA 98008-5452

Dear Ms. Hosner:

Thank you for this opportunity to comment on the Department of Ecology DSEIS for the Georgia Strait Crossing Project. We are writing as concerned citizens living in the Point Whitehorn neighborhood, Birch Bay, Washington. We believe that the GSX Project must be rejected due to environmental, safety, and economic considerations.

The key question is—is this pipeline really needed? If the answer is "no", then there is no logical reason to proceed assessing rigorously its presumed impacts however adverse or benign.

Ostensibly, this pipeline is not being constructed to serve local, regional, or national U.S, energy needs. At issue then is whether Vancouver Island's energy needs can be satisfied without the construction of a project that will doubtless impact both the marine and wetlands resources of Whatcom County. 1

As the document observes, more cost-effective alternatives than the proposed GSX project exist for meeting Vancouver Island's presumed need for a reliable source of natural gas. Yet, there is no quantitative—or qualitative- discussion of market demand on Vancouver Island. Without this documentation, there is no justifiable reason to build a new pipeline. 2

The DSEIS outlines the potential for the Terasen alternative, which is clearly an environmentally superior alternative. However, nowhere in the document, does the DSEIS declare that the Terasen alternative is superior.

The Terasen pipeline proposal appears to be preferable to the GSX proposal for the following reasons:

- The pipeline corridor already exists, and it exists within Canada, the place from which and to which the natural gas will be delivered. Because the pipeline corridor already exists, we can expect that impacts to sensitive habitat will be minimal.

- Only 45.7 miles of pipe will need to be laid in total and these will be twinned. In the GSX proposal, 84.5 miles of pipeline will need to be newly routed.

- No new marine pipeline work would be needed, whereas, 41 miles of pipeline will be laid down in the GSX proposal.

- Terasen's existing pipeline corridor has already been sited based on geotechnical, environmental, land use, and property ownership considerations, that are consistent with current route selection techniques.

- Terasen's expansion will require approximately 40 acres, for its 3 compressor stations and liquid natural gas facility (LNG), and an additional 300 acre protective buffer around the LNG, that presumably would be left natural.

2

By contrast, the GSX-US portion will disturb 588.7 acres of land, of which 227.9 acres will be required for permanent operation of the facility. In the US marine portion, 47.4 acres will be disturbed and 20.2 of these will be permanently used for operation of the pipeline. Compared to the Terasen proposal, the amount of land and marine habitat that will be disturbed by the GSX proposal is extraordinary.

The general environmental concerns and impacts — both potential and likely — of construction of the GSX project include habitat disruption and loss, wildlife displacement, stream crossings,

and erosion. The majority of these effects are thought to be of a temporary nature if planned right and stringent reclamation and construction techniques are employed. The proponent plans to perform the construction for the project in the least damaging season and to mitigate for some of these costs.

However, recent litigation shows us that we should remain less than sanguine in this regard. For example, throughout the late 1990s, the State of New Hampshire fined the Bechtel Corporation and the Portland Natural Gas Transmission System (PNGTS) repeatedly for violating the State's wetlands and water quality laws during construction of a natural gas pipeline. During construction, State inspectors discovered many violations of state environmental laws and permit conditions, mostly involving the discharge of sediment into streams and wetlands. Sedimentation and turbidity impair water quality and can damage fish and wildlife habitat as well as wetlands vegetation—environmental consideration essential to salmon restoration.

The New Hampshire Department of Environmental Services Commissioner Robert Varney, who as chairman of the state Energy Facility Site Evaluation Committee presided over the permitting hearing for the pipeline project, noted that, "The PNGTS pipeline project had the potential to cause massive harm to the environment. Due in large part to the efforts and vigilance of the DES in imposing conditions, conducting inspections, and assessing administrative fines, the pipeline was built without major long-term environmental impacts. While it is unfortunately true that some environmental problems did occur, today's settlement will provide and ongoing benefit to wetlands protection and land conservation in northern New Hampshire."

Whatcom County citizens, for example, as volunteers with the Nooksack Salmon Enhancement Association have worked hard years to protect and, where possible, to enhance Terrell Creek as salmon restoration habitat. Pipeline construction could affect the quality of surface waters through clearing and grading of stream banks, in-stream trench dewatering, and backfilling. These activities can result in increased turbidity, increased sedimentation, decreased dissolved oxygen and stream warming. Disturbance of contaminated soil and sediments could result in adverse impacts to water quality and in-stream habitat. Operation of heavy equipment or other vehicles in and near surface waterbodies could also introduce chemical contaminants such as

fuels and lubricants into surface waters during construction.

Do we want this litigious situation to repeat itself in Washington State for a project that for its originally intended purpose is not justified by generally accepted principles of cost-benefit analysis? Who will be financially responsible for the pre- and post-construction adverse environmental impacts of this project should they occur?

Moreover, the proposed route of the pipeline presumes that Birch Bay will remain primarily less developed open space. This argument is fallacious on two accounts. First, it fails to recognize that the project abuts the Birch Bay Urban Growth Area designated under Whatcom County's Comprehensive Plan. The projected urbanization of this area over the next 20 years, contiguous to the pipeline's corridor increases the potential adverse consequences of a pipeline accident if one were to occur. 3

Second, the pipeline is not the only proposed industrial footprint with a potential environmental impact on the Birch Bay Urban Growth Area and its present and future citizens. The synergistic and cumulative environmental impacts of pipeline construction and the building of a 720 MegaWatt power plant on the site of the BP Refinery at Cherry Point on citizens living in the Birch Bay UGA have not been considered in the EIS. 4

In conclusion, the construction of the GSX pipeline project would cause undue disruption to the Georgia Straits environment. The marine resources which this project will impact are important not only to the citizens of Whatcom County but also to all residents of Washington State and British Columbia who make use of these aquatic areas. On October 22, 2003 the Washington State Department of Natural Resources issued a scoping notice for a Supplemental Environmental Impact Statement (SEIS) process under the State Environmental Protection Act (SEPA) addressing the newly designated Cherry Point aquatic reserve. The proposed pipeline will transect the Cherry Point Reserve. 5

While FERC may not be bound by the State's actions in this regard, the will of the people of Washington State should be respected. We deserve an element of self-determination around a valuable and irreplaceable resource. Despite the fact that FERC has federal preemptive powers 6

over the state on pipelines I would ask that you represent the State's sincere effort to protect its charge and work to create a plan for minimizing industrial impacts on Cherry Point's aquatic and inland resources. 6

Finally, I return to my initial argument, there are economically viable alternatives available to supply Vancouver Island with natural gas. Reliable supplies of natural gas can meet Vancouver Island's needs without disturbing the Georgia Straits sea bed.

The GSX project is an unwarranted and unwise intrusion into the Georgia Straits and should be rejected. FERC should honor the state's position and grant no further approvals until such time as the state returns with its plan to manage the Cherry Point Aquatic Reserve through its SEPA process. The citizens of Whatcom County and Washington State derive at best minimal economic benefit from this project. I fail to see how these benefits outweigh the potential risks of this project.

Sincerely,

Alan and Eliana Friedlob

6934 Holeman Avenue

Blaine, WA 98230

10/28/03 13:17 FAX 425 649 7098 DEPT OF ECOLOGY 036

October 22, 2003

Darrell L. & Blanche Glenman
2330 Jess Road
Custer, WA 98240

RECEIVED
OCT 2 7 2003
DEPT OF ECOLOGY

Washington State Department Of Ecology
Attn: Sheila Hosner
3190 160th Avenue S.E.
Bellevue, WA 98008-5452

Dear Madam:

My husband and I own twenty acres at 2330 Jess Road, Custer, WA. He is 67 and has lived here all of his life farming this land.

The south fork of the Dakota Creek runs through the middle of our property and since this is prime farmland, we are very concerned about the impact of the potential pipeline on the land and the habitat of the fish.

Nearly ten years ago we were one of the first landowners to have the Salmon Enhancement Program work with our property- cleaning out the creek and planting trees to protect the salmon, hoping someday it will return as it was when my husband was growing up.

The pipeline will go through a deep ravine on our property with a spring that runs to the creek, which we are also concerned about.

1

Also, a few weeks after we were approached about the pipeline, surveyors were on our property, staking it without our permission. I called the main representative of Williams at the time (Rex) and he apologized on the recorder saying it was the surveyor's fault. We are very concerned about the integrity of the pipeline people and what they represent. 2

Thank you,

Sincerely,

Darrell L. Glenman Sr.

Darrell L. Glenman, Sr.

Blanche M. Glenman

Blanche M. Glenman

95 Meadow Lane
Friday Harbor, WA 98250-8484
October 15, 2003

Ms. Shiela Hosner
Department of Ecology
3190 160th Ave. SE
Bellevue, WA 98008-5452

Subject: Public Comment on GSX-US Pipeline

Dear Ms. Hosner:

Please accept this letter as my public comment on the Williams Gas Pipeline Co. and BC Hydro Gas Pipeline Project SEIS prepared by the Washington State Department of Ecology as presented at a public meeting held in Friday Harbor on October 14, 2003.

Let me begin by briefly outlining my basis for comment. I hold an earned Ph.D. in Fishery Biology with over 40 years experience in fishery science and marine ecology in both Alaska and the Pacific Northwest. I am currently serving as the Lead Entity Coordinator for Water Resource Inventory Area 2 as part of a state-wide wild salmon recovery program under the auspices of the Salmon Recovery Funding Board established in 1998 by the Washington State Legislature passing ESHB 2496. I also serve on the San Juan County Marine Resources Committee.

My primary objection to the SEIS and all other documents pertaining to the pipeline is the lack of a thorough examination of the effects of anthropogenic sounds on fishes related to the construction and operation of the proposed pipeline. In most cases, the sounds produced by humans are relatively low in frequency, with the bulk of the energy below 1,000 Hz. Thus, these sounds are within the hearing range of fishes and so have the potential to affect fish as well as marine mammals. Essentially, all fishes are able to detect sounds within the frequency range of the most widely occurring anthropogenic sounds.

Because fishes live in a naturally "noisy" environment and because they have probably evolved to gain environmental information for this noise, anything that hampers their ability to detect biologically relevant signals will have a potentially deleterious effect on their survival and thus the health of fish populations. For example, responses to sound could affect behavior extensively and result in the fish leaving a feeding ground or an area in which it would normally reproduce or in some other way affect long-term behavior and subsequent survival and reproduction. Another behavioral effect might occur if the increased ambient noise prevented fish from hearing biologically relevant sounds. This interference, called masking, is a consequence of noises being in the same frequency range as communication of other biologically relevant sounds.

While it is hard to predict the consequences of changes in stress levels on fish, a temporary loss of hearing could mean that a fish loses some ability to detect predators or prey, communicate acoustically, and/or determine the structure of the acoustic environment. Clearly such effects would alter the survival of a fish.

Longer-term effects are also possible. Because the sensory cells of fishes are virtually the same as found in terrestrial vertebrates, it is likely that exposure to loud sounds might permanently deafen fish and, again, decrease their chances of survival. Although we most often think in terms of very loud sounds as having the most potential effect on animals, including humans, it is well documented that longer exposures to any anthropogenic sounds may also affect the health and well-being of a human or other animal. Thus, we need to be concerned about the effect on fish under long-term exposure to sounds that are significantly above the normal ambient acoustic environment in which they evolved, such as the sound made by gas at 2,000+p.s.i. rushing through a pipeline. If nothing else, it will be important to ask the right questions to determine if the effects are present and important or if they have little or no long-term consequence to the organism. To date, such questions have not been adequately answered in any document describing the potential impacts of the proposed pipeline. 1

Thank you for allowing me to express my serious concerns regarding the proposed action.

Sincerely,

David T. Hoopes

David T. Hoopes, Ph.D.

Email address: <leadentity@rockisland.com>

Subject: FW: Comments on DSEIS for the Georgia Strait Crossing Pipeline (G SX)
Date: Tue, 28 Oct 2003 11:23:14 -0800
From: "Hosner, Sheila" <SHOS461@ECY.WA.GOV>
To: "Richard Butler (rbutler@shap.com)" <rbutler@shap.com>

GSX Comment
-----Original Message-----
From: Michael Kyte [mailto:m.kyte@comcast.net]
Sent: Wednesday, October 08, 2003 6:42 PM
To: Hosner, Sheila
Subject: Comments on DSEIS for the Georgia Strait Crossing Pipeline (GSX)

Dear Ms Hosner,

Thank you for sending the Draft Supplemental Environmental Impact Statement for the proposed Georgia Strait Crossing natural gas pipeline. While reviewing the DSEIS, I noticed a few errors and matters on which I want to comment. My comments follow:

1. In general, the document states that the proposed pipeline will cross at Cherry Point. This is not true; the mapped Cherry Point is nearly 2 miles south of the proposed crossing point with the BP Cherry Point Refinery terminal in between. This geographic misdirection is confusing and misleading, especially when impacts to the shoreline and nearshore marine environment are being considered. This is especially true since a number of other developments are proposed and planned for the "Cherry Point" area. This document has all these developments occurring on the same piece of beach and upland. 1
2. It should be noted that I have quantitative vertical aerial photos taken in 1988, 1992, 1996, and 2000 of the proposed project site, both the Gulf Road and pipeline crossing locations. These full color photos were taken at a scale of 1 inch equals 400 feet during summer low tides and clearly show beach substrate and vegetation. In addition, I conduct qualitative walking surveys each year during summer low tides from Point Whitehorn to Neptune Beach. Finally, I maintain a comprehensive and up-to-date annotated bibliography with nearly 300 titles and a library of literature, both published and unpublished (e.g., scientific journal articles and consultant reports, respectively). Several reports cited in the bibliography and in the library contain site specific (Cherry Point) information on bottom fish, Dungeness crab, benthic communities, vegetation, etc. To the best of my knowledge, GSX-US has not accessed any of these resources. 2
3. Figure 2-2 HDD Pipe String Launch Plan. #3 (under HDD Pipe String Launch Plan) states: "(This is Entirely A Rock Beach Area. There Is No Vegetation)"

Comment: The statement in parentheses is not true. The beach at the Gulf Road launch site is not a rock beach area. It is characterized by a covering of cobble and gravel in the upper intertidal zone grading with decreasing elevation into sandy gravel and silty sand. In addition, there is abundant vegetation in the form of marine macroalgae attached to the intertidal zone substrate and a seasonal kelp bed offshore. In addition, eelgrass (Zostera spp.) is present in small patches, most notably in a sand-filled depression near the existing abandoned gravel-loading pier. 3

4. Section 3.5.8 Issue 7. Impacts to marine vegetation.

Comment: Since I do not have a copy of the FERC Final EIS or its supporting documents (i.e., Appendix 3-1 of

Resource Report 3) I cannot assess the veracity of the information on which this section is based. However, if Figure 2-2 (see my comment #3) is an indication, the report is not accurate in its description of the affected environment. For instance, I have direct personal observations and credible site specific information that show that eelgrass and abundant macroalgae are present at the Gulf Road location. Because of the sensitivity of the beach substrate, a major disturbance will cause scars and disruption of the substrate's structure that could be present for years and spread to affect a much larger area. Please note that the beach intertidal substrate at the Gulf Road location is a cobble armor which when disrupted will expose gravel - sand matrix that would be easily eroded. 4

In contrast, it is highly unlikely that any viable vegetation would be present at the location of the exit hole located at -130 feet mean lower low water. Thus, vegetation should not be an issue at the pipeline burial location.

5. Section 3.7. Land and Shoreline Use.

Comment: I did not find any mention of the Cherry Point Aquatic Reserve in this section or the document in general. Since the Reserve was recently re-nominated, and it appears that it will be confirmed, the relationship of the proposed pipeline crossing with the Reserve should be discussed. 5

Please feel free to contact me if you have any questions or need additional information on my comments.

Thank you for this opportunity to comment on this project.

Regards,

Michael Kyte

Marine Biologist

1233 NW 119th Street

Seattle, WA 98177

Voice: 206.910.4617

Email: m.kyte@comcast.com

861 Cherry Point Road
RR3 Cobble Hill, BC Canada V0R 1L0

25 October 2003

By email: shosner@ecy.wa.gov

Ms. Sheila Hosner
Department of Ecology
3190 - 160th Avenue, S.S.E.
Bellevue, Washington, 98008-5452

Dear Ms. Hosner

Re: GSX Project - Draft Supplemental EIS

I have reviewed this document from the perspective of an intervenor in the reviews of both the GSX Canada project and the associated Vancouver Island Generation project (VIGP) on which GSX's viability rests. I was dismayed to see that the shortcomings of the US application (which this report attempts to rectify) mirror those of the Canadian application, which I have strenuously opposed.

There is an important oversight in the summary provided in the Supplemental EIS, in that the key conclusions of the BC Utilities Commission (BCUC) which have the most bearing on the necessity of the GSX pipeline have not been included in this report. The question of a project's actual necessity must be the key factor when assessing the environmental impacts and whether they are justified. Clearly, if a project cannot be shown to be necessary, any adverse environmental impacts are not justified. 1

The underlying need that would be met by both the GSX and VIGP projects is the demand for electricity on Vancouver Island. However this is not prompted by new demand, but by a planning and reliability issue related to BC Hydro's decision to zero rate the HDVC cables from the mainland in 2007, thereby discounting 240 MW of existing capacity.

The National Energy Board's conclusions that the impacts of GSX Canada are not significant are summarised in your report but this does not reflect the fact that the Joint Review Panel:

a) excluded consideration of almost all alternatives brought forward to them by intervenors, on the grounds that they were not alternative pipeline projects;
b) discounted much of the local concern regarding the adverse air quality impacts of VIGP, which could still go ahead if GSX is approved, because it was not the project directly under consideration;
c) refused to admit evidence about the alternative Terasen project which came forward at the later BCUC hearing, even though this directly contradicted the proponent's evidence on the cost effectiveness of Terasen expansion as an alternative to GSX Canada. 2

Their finding that the expected impacts of GSX are acceptable reflects the fact that the Joint Review Panel adopted the proponent's position that it is just an inert pipeline project. They refused to consider evidence on alternatives to VIGP, the proponent's justification for GSX, and the source of major new pollution, a direct consequence of GSX.

They thereby denied the public's request for consideration of alternatives to resolve the true difficulty, a planning shortfall in electrical capacity on Vancouver Island. One alternative they did not consider has been acknowledge by the BCUC as being possibly a better solution than GSX/VIGP, namely the 230 kV cables. A footnote in their report by Panel member Mr Williams acknowledges that the failure to consider this alternative is a matter of concern.

Hundreds of local residents attended meetings prior to the formal hearings to let the Joint Review Panel from the National Energy Board hear their deep concerns -- about the pollution that would result from VIGP; the avoidable environmental damage which would be caused if they approved GSX; the heightened risk to various endangered species, terrestrial and marine; the risks which construction posed to the local underground water table and wells; the safety hazards posed to local residents by a large gas pipeline monitored from Salt Lake City, Utah -- and express adamant opposition to this proposal. These concerns were carefully documented by the Panel and then disregarded in their final conclusion.

3

The primary justification for the construction of the GSX project is the VIGP project for which BC Hydro has also applied through a subsidiary company. As the parent company of both Canadian project applicants, BC Hydro has stated that without VIGP, GSX will not proceed, and told the review Panel that it was willing to have a CPCN for GSX contingent on approval for VIGP. VIGP is currently in abeyance as a result of the conclusions reached by the BCUC when they recently refused to grant a Certificate of Public Convenience and Necessity.

BC Hydro prefers to have GSX and VIGP rather than build new transmission cables. However the BCUC found that the applicant had not proven that GSX/VIGP was the most cost-effective solution for Vancouver Island, and directed them to conduct a call for tenders to explore other options. There is now to be a call for tenders for alternative projects, with the possibility that VIGP will be reapplied for next Spring if competing projects cannot be shown to be more cost-effective.

Norske Canada, the largest industrial electricity customer on Vancouver Island, also opposes BC Hydro's solution. Norske have offered to assist BC Hydro by load shifting and/or increased electricity generation, thereby mitigating concerns that the existing infrastructure might not be able to meet peak demand after de-rating of the HDVC cables in 2007.

4

An important conclusion of the BCUC review is that the replacement of the present cable system by means of a 230 kV cable system with (ultimately) 1200 MW of transmission capacity may be the best way forward if no on-island generation can be found which is more cost-effective. This alternative was supported by many intervenors, and was conceded by BC Hydro to be a technically superior solution because of greater system stability (in the context of electrical frequency) and an improved result for future "Expected Energy Not Served".

BC Hydro anticipates having to add a 230 kV cable later even if GSX and VIGP are built, whereas the present 230 kV alternative would not require GSX or VIGP afterwards. Since the competing project costs as currently planned are directly comparable, it would seem to make more sense to proceed with the 230 kV option than proceed with a more environmentally damaging alternative which will require future cable construction in any case. However BC Hydro appear determined to pursue GSX and VIGP instead of the cables

5

alternative, despite the fact that it was originally preferred as a solution: 'until we lost time, we lost the value of time, our position was transmission.'[1]

An important advantage of the 230 kV alternative is that it would use an existing right of way and thus can be expected to have a lesser environmental impact, while obviating the many consequences of GSX and VIGP. The hearing process has prompted many companies to come forward with alternatives, but the proponent of VIGP and GSX will be assessing these, which prompted such concern that a third party has been appointed as overseer.

It is clear that so long as GSX remains a possibility, BC Hydro will pursue the VIGP project, which represents a source of future pollution similar to the Sumas project which the BC government has spent $700,000 opposing because of air quality concerns on the mainland. They appear to believe that it is acceptable to unnecessarily pollute air here on Vancouver Island, because we do not yet have the same problems as the mainland. With such a short-sighted approach, we soon will. Since better solutions are believed to exist, this must not be allowed to happen.

I have taken the liberty of attaching my submissions in the GSX and VIGP hearings. Not all of this will be relevant to the matters you are concerned with, but they outline the basis for my opposition to both of these projects, which include avoidable fragmentation of habitat and increased risk to species of concern, and subsequent air pollution. In the context of aggregate environmental impact, my interpretation of the viewpoint put forward in the application is that so much damage has been done by others already, more damage is proportionately less significant. I would argue that the opposite is the case.

I believe there is mention in your report that the minimum leak size that could be detected is 1% of the total throughput of the pipeline. While this looks like a small number, it represents a great deal of natural gas; evidence in the NEB review is that it would take 9 hours for the pipe to empty in the event of a rupture. The safety concerns this prompted were downplayed by the applicant. 6

Faced with intransigence by the proponent, our best hope for a better solution to come into being is for all regulatory bodies to refuse to approve GSX, an environmentally damaging project which has been shown to be both unnecessary and flawed. It has been shown that we have a number of other better choices. I hope you will recognise the contrary evidence which has come forward since the original FERC review and find that GSX should not be approved, because it is not necessary, and can be expected to have greater adverse environmental impacts than the alternatives, which do not involve new rights of way. I urge you not to approve GSX.

Thank you for allowing me the opportunity to provide input to your process.

Yours sincerely

Màiri McLennan

Public Comment Form For The
Williams Gas Pipeline Co and BC Hydro Gas Pipeline Project SEIS
Public comment period ends October 25, 2003

Please place comments in comment box or mail to:
Shiela Hosner, Department of Ecology, 3190 – 160th Ave SE, Bellevue WA 98008

Name: Claudia Mills (PHD Marine Biology)

Address: P.O. Box 1636
Friday Harbor WA 98250

E-mail Address: cemills@rockisland.com

Comments:

I object to bringing this pipeline through the northern portion of San Juan county. The region (near Stuart Island) proposed for the crossing, is deep and of high topographic diversity. Even in the Canadian waters of Boundary Pass, there are likely to be some of the few remaining large rockfish in the area – in deep rocky terrain. There is undoubtedly also an important invertebrate fauna in this region that has been insufficiently documented. Just because it is not known what is there is no reason to abuse that fauna – rather it is reason to protect it until it is better known. 1

The Boundary Pass region has been selected for the proposed TransBoundary Orca Pass Marine Protected Area because of the high diversity and numbers of marine birds and mammals at the surface there. It is folly to put this industrial project in a location also being earmarked for this Marine Protected Area because it is so special. 2

(Additional public comment)

Received 10/14/2003
San Juan Public Hearing
Bev Poston – Hearings officer

GSX PROJECT FAILS TO PROVE NEED FOR PIPELINE

THE STATED NEED FOR THE PIPELINE

In its original application to the FERC, GSX states 100% of the capacity of the pipeline is contracted to PowerX for its power generating facility in Port Alberni. There would be no allocation of gas to Washington residents. The PowerX project was cancled by BC hydro in October 2001.

In the final EIS used to determine the need for the pipeline, GSX stated the line will service 2 power generation plants on Vancouver Island.

BC Hydro stated the VIGP would proceed at Duke Point near Nanimo. The project would have similar equipment and gas requirements as PowerX.

The 265 MW Duke Point Project was rejected as being to expensive by BC Utilities Commision in early September 2003.

The Campbell River facility, is an operational 240 megawatt facility to be serviced by GSX with the unused gas from the Duke Point powerplant.

Where is the proven need for the pipeline, required by the FERC, before this pipeline was approved?

1

THE REAL NEED FOR THE PIPLINE

Letter to Nanimo Citizens Organizing Committee: 9-25-2002

From: Lachlan Russel Project Manager
For Larry Bell

"BC Hydro's goal is to become The Leading Supplier of Sustainable Energy for North America."

"As part of Canadas voluntary commitment to the Kioto Accord, BC Hydro is using the GSX pipeline as a means to reduce emmisions by providing a supply of green gases for the pupose of generating electricty."

The original 2001 application stated the GSX pipeline would be moved 15' to accomodate the SE2 project in Sumas.

BC Hydro News Letter Oct 2002:

Decommisioning the existing transmission system and replacing it with the GSX pipeline: Price, 360 million.
90.7 million will be spent on the US portion of the pipeline.

Upgrading existing system to industry standard: Price, 400 million.

Williams News Letter 4-28-2003:

GSX will serve 2-250 MW plants and supply future industrial and commercial users in Washington. To meet regulatory process time lines the inservice date has been changed from Oct 2003 to 2005.

Site Plan Change:

BP Cherry Point Generation facility was moved from Jackson Rd. to its current Grandveiw Rd location closer to the proposed GSX pipeline route.

ALTERNATIVES

The Terasen alternative identified in the final EIS is not mentioned in the supplemental EIS for the SEPA reveiw.

9-24-2003: The supplemental EIS supplied for the SEPA reveiw identifies additional alternatives not disclosed in the final EIS used in the FERC process.

The loop sytem proposed as an alternative to GSX in the supplemental EIS is the most common sense alternative to GSX. 2

3 additional loop projects to Vancouver Island are already being undertaken by another Gas company. 2 have been approved.

52 BC Hydro Green Energy projects producing 3,300 GW. All have been approved.

Violating Due Process

There is a report in the October 14, 2003 Bellingham Herald, GSX is trying to circumvent 2 of the states permitting processes. GSX contends the Dept of Ecolgy missed the deadline for the SEPA reveiw. They are asking the FERC to waive this requirement. 3

One of the 78 properties aquired by GSX is encumbered with a stipulation binding two 5 acre parcels together, the owner cannot sell or lease the property without approval of Whatcom County.

GSX bought the property anyway, without going through the approval process provided for in the deed of trust issued by Whatcom County.

The record of this sale has been recorded in the auditors files at the Whatcom County Courthouse.

GSX has a record of violating property rights of people in Whatcom County. There were numerous trespassing complaints made by residents to the Sherriff's Office during the survey of the proposed route. Sheriff Dale Brandland took no action on these complaints.

Other property owners have been harrassed by GSX employees charged with obtaining the necessary properties for the pipeline. Some have told GSX they are not to come onto their property again. Others have folded to the pressure after being told they don't have a choice in accepting their offer.

The prices GSX has paid for the 78 properties they have purchased vary and are not consistent with the prices paid for neighboring property of the same size and zoning. The FERC stated GSX severly undervalued the prices it offered to the property owners and was not consistant in all of its offers. **Compare the Seigman Estate to the Bishop property information.** Both property

owners have fallen victim to GSX's tactics.

Economic Benifits

Reported by the Expropiation Law Center 5-12-2001 "The GSX pipeline will result in increased property tax revenue for Whatcom County."

This is not true. The residents of the affected properties will still pay the taxes on the right of way issued to the pipline company just as they do on the county road right of way in front of their homes and businesses.

The Draft EIS states Whatcom County will recieve 1.3 million annually from GSX in additional property taxes. In 2003 the property owners were taxed for the entire property aquired by GSX. There is no reduction of the size of the taxed property affected by the pipeline. GSX paid none of the tax assessed on the affected property.

There is a short term economic benifit in temporary employment of 300 employees for 95 days working onshore and 390 employees working offshore. Local Restaurants, Hotels, Gas Stations, and some constructin supply companies will see some of the short term economic benifits.

There will also be permit fees paid to the various regulating agencies and a one time, $6.6 million, sales and use tax paid to the State of Washington.

Gsx cannot predict the number of local people who will be hired, but will state there will be no impact to the local unemployment rate.

Proposed Economic Plan

The Whatcom County Planning Department imposed a 500' buffer zone along the utility corridor to be occupied by the GSX project.

The affected properties were included in the utility corridor without individual notice to the owners of their property rights under Eminant Domain law.

The Planning Department imposed restictions on the owners use of their property without compensation for the loss of their property rights.

Whatcom County should pay a portion of the cost to aquire land for the utility corridor and pay land owners for the effects of the 500" buffer zone on their properties.

The entire utility corridor should be zoned Industrial Use Property.

The industries using these utility corridors, should be required to pay the individual property owners based on the current industrial land prices in the Cherry Point area, the destination of the pipeline utility corridor.

The Pipeline companies should then pay property tax based on industrial use of the land, since they are using the property for the purpose of producing electricty.

This would pay the county more than current taxes collected on the affected properties.

Environmental

Birch Bay Urban Growth Area

The pipeline is crossing into theBirch bay Urban Growth area at milepost 28.23 on Kickerville Rd. It continues until it intersects with the boundary of the Urban Growth Area at milepost 29.71. It continues along the boundary of the urban growth area until crossing into the urban growth area again on Jackson Rd where it exits the mainland at mile post 33.

GSX states in the draft supplemental EIS 9-24-2003 the pipeline does not cross into any urban growth areas. 4

Fault Lines

Only 2 of the fault lines are discussed in the draft EIS. Not one of the 17 other fault lines identified offshore in the Federal EIS are mentioned in the draft EIS 9-24-2003.

GSX expects the S lay method the be adequate for any offshore movement along the fault lines.

No study of the expected amount of movement during an earthquake has been presented to predict what effects an event of 7.0 or greater will have on the pipeline. 5

Wild Life

The FERC requested that GSX provide more information on the roosts and nests of Bald Eagles and other Raptors near the pipeline. I have 2 areas on the property I live on raptors use as roosts. I have identified Red Tailed Hawks, Owls, Bald Eagles and falcons. Two of the Fir trees the birds use to roost are 50' from the site of the pipeline.

I have not seen a report submitted by GSX on the sites they have identified as being nests or roosts of Raptors. 6

Salmon restoration efforts have started on Terrell Creek, in an attempt to restore its salmon runs.

There are salmon, I have seen spawning, in December, in Tarte Creek.

GSX states in the Army Corps of Engineers report, 260 cu ft of backfill will be used to cross Tarte Creek and Campbell Creek, another tributary of the Califonia Creek watershed. This entire watershed has been off-limits to salmon fishing for many years in an attempt to restore its salmon runs. No amount of backfill should be used in these two creeks. 7

What mitigation is GSX performing to these watersheds to enhance the salmon runs near its crossings of Terrel Creek, California Creek, and other salmon bearing streams crossed along the pipeline route?

David Seigman - 360-366-4963 - 7235 Kickerville Rd. Ferndale Wa. 98248 October 25, 2003

From: Aubrey Stargell [forestry@qwest.net]
Sent: Tuesday, October 07, 2003 12:12 PM
To: Hosner, Sheila
Subject: Georgia Strait pipeline crossing

I am a Whatcom County resident. I am in support of the Georgia Strait Crossing gas pipeline. We need to continue to develop more ways to meet our growing energy demands. 1

Thank you for the opportunity to comment.

Aubrey Stargell
Maple Falls, WA

Subject: FW: Public Comment on GSX
Date: Tue, 28 Oct 2003 11:30:30 -0800
From: "Hosner, Sheila" <SHOS461@ECY.WA.GOV>
To: 'Richard Butler' <rbutler@shap.com>

GSX comments
-----Original Message-----
From: Stephanie Buffum [mailto:stephanie@sanjuans.org]
Sent: Saturday, October 25, 2003 9:36 PM
To: Hosner, Sheila
Subject: Public Comment on GSX

Public Comment Letter

SEIS - Georgia Strait Crossing Natural Gas Pipeline Project

Date: October 25, 2003

Delivered via email

shos461@ecy.wa.gov

TO: Sheila Hosner
Washington Department of Ecology
3190 160th Ave SE
Bellevue, WA 98008-5452

FR: Stephanie Buffum
Friends of the San Juans
PO Box 1344
Friday Harbor, WA 98250

RE: Comment on SEIS - Georgia Strait Crossing Natural Gas Pipeline Project

Applicants: Robin and Mike Bergstrom, owners, Harbor Innkeepers

Dear Ms. Hosner,

This letter serves as public comment for the initial notice on the above referenced activity

for the draft supplemental environmental impact statement (DSEIS) for the proposed Georgia Strait Crossing natural gas pipeline project. These comments are submitted on behalf of Friends of the San Juans, a non-profit organization dedicated to protecting the unique environment of Washington's San Juan Islands. Friends of the San Juans speak for its members who live on, work in, and enjoy the San Juan Islands. We appreciate the opportunity to comment on this project and thank you for your consideration of our serious concerns.

Background

This DSEIS supplements the July 2002 project environmental impact statement prepared by the Federal Energy Regulatory Commission and the U.S. Army Corps of Engineers.

The U.S. mainland portion of the proposed pipeline would travel about 33 miles from Sumas to facilities at Cherry Point, west of Ferndale. The pipeline's land route in Whatcom County would pass near the cities of Lynden, Ferndale and Birch Bay, roughly parallel to existing pipelines.

From Cherry Point, the pipeline would continue under the Strait of Georgia about 33 miles roughly southwest, partially buried in marine sediments for the first five miles and then positioned on the ocean floor for the remaining 28 miles.

It would pass near the northern ends of Waldron and Stuart islands in Washington and the south sides of Saturna, Pender and Moresby islands in British Columbia. On Vancouver Island near Hatch Point, the pipeline would extend an additional 10 miles overland to connect to the Terasen pipeline.

1. The original EIS approved by FERC is not compatible with the SEIS, due to the significant route and design changes.

The pipeline proposal received conditional approval by the Federal Energy Regulatory Commission (FERC) on July 17, 2003. The pipeline initially was slated to serve a proposed power plant in Duncan, B.C. However construction of that plant was recently denied by a B.C. utilities board, the GSX gas pipeline could still provide fuel for an existing electrical plant in Campbell River, B.C. We feel that the original EIS approved by FERC is not compatible with the SEIS, due to the significant route and design changes. 1

Ecology determined that 39 issues in the Final EIS were not adequately addressed to satisfy SEPA

requirements. On July 28, 2003, Ecology gave GSX-US the list of issues that would need to be addressed in a Supplemental EIS.

For this Supplemental EIS, each of the 39 issues is assigned to a corresponding topic or element of the environment under SEPA. Those issues provide the framework for the environmental analyses in the Supplemental EIS. The topic areas are:

2. Seismic Activity

The pipeline route is in an area of high seismic activity. This activity, as manifest by earthquakes, can result in ground vibration, tsunamis, ground upheaval, marine and terrestrial landslides, and soil liquefaction. Liquefaction potential is low to moderate for the terrestrial segment of the proposed route. The areas along the pipeline route that are susceptible to seismic liquefaction coincide with those areas where a high groundwater level will cause buoyant uplift. Moderate to large earthquakes are known to have resulted in a variety of underwater landslides and coastal liquefaction phenomena. All of these events have potential to increase risk of pipeline rupture, the degree of risk being dependent on the magnitude of the event, the characteristics of the pipeline route, and the pipeline design specifications. In the event of a line break, most gas would bubble to the surface and escape to the atmosphere. Pressure-sensitive shut-off valves on both shores could be remotely or locally operated to isolate the ruptured marine segment. The volume of confined gas would escape to a point where it equalized with external pressure. Some bottom scour could occur near the leak or line break depending on the direction it faced. Temporary, localized disturbance of benthic flora and fauna would occur

2

3. Cumulative impact of underwater noise likely to adversely impact fish, wildlife, and marine species.

Vessel traffic, sonar testing, coupled with the gas line pose significant environmental risk to marine mammals, fish and other wildlife. Anthropogenic sounds on fish; wildlife and other marine species are likely to be impacted during the construction and operation of the proposed pipeline.

Anything that hampers their ability to detect biologically relevant signals will have a potentially deleterious effect on their survival of marine mammals such as orca, porpoise and seals currently protected under the Marine Mammal Protection Act, and other fisheries such as federally listed salmon, salmon prey fish and federally protected raptors (Bald Eagles, Osprey, Murrelets protected under the Migratory Bird Treaty and/or Endangered Specie Act. Because many of these federally protected species of salmon and birds dependence on the shoreline for feeding on forage prey fish (herring, smelt and sand lance) any adverse impact in the ocean causing the alteration of fish would constitute a take under the Endangered Species Act. Proponents should be in consultation with the National Fish and Wildlife Service as well as NOAA Fisheries on this project with specific study being conducted on impacts to federally listed species.

3

Project related noise could pose significant harm to federally protected marine mammals and fish (salmon, bottomfish, herring, surfsmelt, sandlance.)

4

From hearing biologically relevant sounds. This interference, called masking, is a consequence of noises being in the same frequency range as communication of other biologically relevant sounds.

While it is hard to predict the consequences of changes in stress levels on fish, a temporary loss of hearing could mean that a marine mammal or fish loses some ability to detect predators or prey, communicate acoustically, and/or determine the structure of the acoustic environment. Long term exposure to low frequency as well as loud sounds might permanently deafen marine mammals and fish this decrease their chances of survival.

This report fails to address long-term, short-term, and cumulative impacts of noise in the marine environment. 5

There are several resident orca populations in the eastern north Pacific ocean. The Southern Residents occupy Puget Sound, Haro Strait, and the Strait of Juan de Fuca from late spring through early fall. The Northern Residents live off northern Vancouver Island during the summer, and two resident populations live in Alaskan waters. These populations have been reproductively isolated from each other for thousands of years.

Both of these declines were followed by periods Orcas have one of the most complex social systems of all marine mammals. As social predators, orcas work cooperatively to feed upon a variety of marine organisms. The latest decline is driven by an inexplicable increase in mortality of young adults and juveniles, without substantial reduction of calving. Scientific evidence attributes the current decline to high levels of bioaccumulative toxins in the Sound and in whale tissues, a population decline in their preferred salmon prey, and human disturbance from vessel traffic and noise.

The SEIS needs to adequacy address the issues of acoustic pollution and biological contaminants in the event of a break in the pipeline. 6

NMFS should be consulted on this project with specific attention to the impacts this project causes on orca and other marine mammals. 7

4. Both the EIS and the SEIS fail to Address Impacts and Alteration to Nearshore Habitat .

Geotechnical erosion and sedimentation resulting from construction crossing the Squamish River is considered to be the most environmentally sensitive crossing. Sediment supply, primary production, and export, occur between upland and marine environments could be adversely affected by sediment loading. 8

Eelgrass, kelp, pickleweed, saltwort, rockweed, sedge, spartina, gracilaria, ulva, fish herring from spawn to adult, surf smelt and spawn, sand lance and larvae, sculpins, clingfish, gunnels, shiner perch, juvenile tomcod, English sole, starry flounder, sturgeon poachers, greenling, cabezon, stickleback, flatfish, tubesnout, goby, and prickleback, mussels, barnacles, crabs, limpets, chitons, shrimp, scallops, amphipods, clams, snails, abalone, geoducks, oysters, and moon snails could all be affected by erosion.

Essential ecological functions important to the recruitment and survival of the region's fish and shellfish species provided by nearshore habitats are prey resource production, refugia, and reproduction. The loss or alteration of habitats can reduce or eliminate its usefulness to the species that depend on them. The changes in marine nearshore habitat have greatly contributed to the decline of wild salmon runs.

8 cont.

5. Does this Project pose a Threat to Marine or Aerial Navigation?

Does the proposed pipeline impact our ability to detect vessels in the area through GPS or impact other marine or aerial navigation?

9

San Juan County does not have a plan, the zoning, or facilities in place to house a transfer station for the pipeline.

10

We appreciate the opportunity to comment on this project.

Sincerely,

Stephanie Buffum

GSX Concerned Citizens Coalition

The Georgia Strait Crossing Concerned Citizens Coalition
302 - 733 Johnson Street, Victoria, BC, V8W 3C7
Telephone 250-381-4463, Fax 250-381-4407
Email: gsxccc@sqwalk.com Website: www.sqwalk.com

24 October 2003

Ms. Sheila Hosner
Department of Ecology
3190 - 160th Avenue, S.S.E.
Bellevue, Washington, 98008-5452
fax: (425) 649-7098
email: shosner@ecy.wa.gov

Re: Georgia Strait Crossing ("GSX") natural gas pipeline proposal: Invitation by the Washington State Department of Ecology for public review and comments

Dear Ms. Hosner:

Further to the Washington State Department of Ecology solicitation of comments on the Georgia Strait Crossing ("GSX") gas pipeline project, the GSX Concerned Citizens Coalition ("GSXCCC") submits the following:

GSXCCC is a registered society in the Province of British Columbia, with some eighty individual members (mostly on Vancouver Island) and eight British Columbia member groups:

- Sierra Club of Canada, British Columbia Chapter;
- Georgia Strait Alliance;
- Canadian Parks and Wilderness Society - BC;
- Council of Canadians, Victoria Chapter;
- Council of Canadians, Cowichan Valley Chapter;
- Saturna Island Community Club;
- Pender Island Conservancy Association;
- Shawnigan Lake Watershed Watch

GSXCCC is a registered intervenor in both the National Energy Board - Canadian Environmental Assessment Agency Joint Panel Review of the GSX proposal; and the British Columbia Utilities Commission ("BCUC") review of the Vancouver Island Generation Project ("VIGP"). GSXCCC brought expert evidence in both these reviews, covering a wide range of issues, including:

- Energy planning issues (particularly the demand for and supply of electricity to Vancouver Island, i.e. the fundamental rationale for GSX and VIGP);
- Long-term gas supply and prices;
- The environmental effects of GSX and VIGP, particularly the effects of increased greenhouse gas ("GHG") emissions;

- The potential future financial liability of VIGP for its GHG emissions.

The following analysis is not aimed at the specific categories of the Department of Ecology's Draft Supplemental EIS, except to the extent that comments on greenhouse gas emissions can be considered as pertaining to "Air Quality." However, GSXCCC submits that the following discussion on the lack of need for GSX and VIGP is material to the question of whether any environmental impacts are justified in the circumstances. GSXCCC holds that GSX and VIGP are not needed and not in the public interest; and therefore any environmental impact of GSX -- either in Canada or the U.S.A. -- cannot be justified.

1. The need for GSX is contingent on VIGP.

The record clearly establishes that GSX is linked to plans for a second gas-fired generation facility on Vancouver Island (specifically, VIGP), such that GSX will not proceed without that generation facility. This is acknowledged by the regulatory authorities and by BC Hydro and its corporate entities (including GSX PL Ltd): 1

> [GSX] is a part of an overall plan by BC Hydro, through various corporate relationships and partnerships with others, to build and operate an international pipeline from Washington State to Vancouver Island, purchase gas for transportation to Vancouver Island on the pipeline, enter into a 30 year contract for 100% of the transportation capacity of the pipeline and thereby ensure the delivery of the gas as feedstock to a new generation facility. (GSX review: Joint Review Panel letter of 31 May 2002, p. 11)

And:

> ... in the absence of a second generation facility on Vancouver Island, the GSX Pipeline Project will not proceed. ... (GSX review: Final Argument of GSX PL Ltd (the applicant), Transcript Vol. 15, paragraph 23063)

BC Hydro's corporate proxy, GSX PL Ltd, agrees that it is appropriate for the BCUC to determine the fate of GSX, based on its approval or rejection of VIGP:

> ... That doesn't mean, though, that you, in your decision, should be adjudicating on the merits of VIGP. Indeed, you can and should leave that assessment to the BCUC.
>
> Your concern here, Madam Chair and Panel members, should be to ensure that the GSX Canada pipeline is not constructed absent a clear indication that the market for the transported gas is going to be there. And that concern can be addressed simply by conditioning your pipeline approval on the receipt of provincial regulatory approvals for the second generation facility. (GSX review: Final Argument of GSX PL Ltd, Transcript Vol. 15, paragraphs 23063 & 23064)

2. The need for VIGP has not been established.

The BCUC reviewed VIGP from March to July of 2003. In reaching its decision, the Commission made several findings relevant to the need for GSX. The primary finding led to the refusal to grant a Certificate of Public Convenience and Necessity:

> Based on the evidence and the Commission Panel conclusions in this Decision, the Commission Panel finds that VIEC has not established that VIGP is the most cost-effective means to reliably meet Vancouver Island power needs. Therefore, the Commission Panel denies the Application for a CPCN. (VIGP review: BCUC Decision, 8 September 2003, p. 77)

2

3. The amount of electricity required (by 2007/08) is 46 percent less than BC Hydro has claimed; and VIGP is not necessarily an effective means to supply that amount.

3

In its application for a Certificate of Public Convenience and Necessity, BC Hydro's corporate proxy, the Vancouver Island Energy Corporation ("VIEC"), claimed there would be a shortfall of 213 megawatts (MW) on Vancouver Island by 2007/08. Based on evidence and arguments submitted by GSXCCC and others, the BCUC concluded:

> The majority of intervenors accept that there is a need to address a future supply/demand balance problem. While careful analysis of load growth, supply additions and load reductions has narrowed the 213 MW shortfall advanced by VIEC to 116 MW [in 2007/08], the problem cannot be entirely resolved without considering other supply alternatives. (VIGP review: BCUC Decision, 8 September 2003, p. 27.

During the course of the VIGP review, BC Hydro stated its intention to implement a Call for Tenders ("CFT") process, in order to seek private bids to supply electricity to BC Hydro to meet the anticipated shortfall of electricity on Vancouver Island:

> 1.1 Purpose: The purpose of the Call for Tenders ("CFT") is to determine the preferred option for meeting BC Hydro's need for dependable electrical capacity and associated electrical energy to serve load on Vancouver Island. (VIGP review: Applicant's [i.e. VIEC; BC Hydro] Reply Argument, 25 July 2003, p. 39: Schedule A)

And

> 2.2 BC Hydro Requirements: The CFT will invite tenders to meet BC Hydro's need for 20 years' supply of dependable electrical capacity of a minimum of 240 MW in aggregate on Vancouver Island ... (VIGP review: Applicant's [i.e. VIEC; BC Hydro] Reply Argument, 25 July 2003, p. 40: Schedule A)

The BCUC encouraged BC Hydro to seek a lower minimum amount of capacity through its CFT:

> The Commission Panel anticipates that the sum of the viable tenders will provide BC Hydro with an aggregate Dependable Capacity of at least 150 MW, which would provide a buffer above the 116 MW required in 2007/08. The Commission Panel encourages BC Hydro to seek approval for projects with an aggregate capacity of at least 150 MW ... (VIGP review: BCUC Decision, 8 September 2003, p. 83)

BC Hydro has adopted this recommendation:

> The Vancouver Island Call For Tenders will be for dependable capacity from new generation using a proven technology, for a minimum of 150 MW in aggregate. (Updates on Vancouver Island Call for Tenders, October 17, 2003 Update; BC Hydro web site: http://eww.bchydro.bc.ca)

4. A 230 kV sub-sea cable system from the Lower Mainland to Vancouver Island is a technically superior alternative to GSX and VIGP.

Considerable evidence was brought on the possibility of building a 230 kV sub-sea cable system from the Lower Mainland to Vancouver Island, as an alternative to GSX and VIGP (or other new generation on the Island). A new cable system would effectively replace an existing high-voltage DC ("HVDC") cable system that BC Hydro intends to zero-rate for planning purposes in 2007/08. This zero-rating is the immediate cause of the forecast capacity deficit on the Island. 4

The BCUC concluded:

> In addition BC Hydro testified that on a technical basis the 230 kV line option is preferred as a first step [to meeting Vancouver Island's electricity requirement]. ... BC Hydro also testified that it had performed a system study comparing the system dynamic performance of two 300 MW CCGTs ["combined cycle gas turbines"] located on the Island (in addition to the existing ICP) to one 230 kV transmission line and in this scenario the alternatives had a similar performance ... Both systems required similar amounts of load shedding under N-2 conditions, but the transmission system had a better frequency response under the 230 kV transmission line scenario. The study also demonstrated that system losses were greater for the two CCGTs scenario than the 230 kV transmission line option. (VIGP review: BCUC Decision, 8 September 2003, p. 56)

And:

> The Commission Panel recognizes that the 230 kV line option may be the best reliability reinforcement if on-Island generation becomes prohibitively expensive. (VIGP review: BCUC Decision, 8 September 2003, p. 57) 5

5. GSX and VIGP are not shown to be a less expensive way to meet Vancouver Island's electricity needs than the 230 kV alternative.

BC Hydro carried out extensive portfolio analysis to determine the relative costs of GSX and VIGP with other alternatives, based on a net present value ("NPV") calculation. Three main alternatives were considered.

BC Hydro ranked the NPV costs as follows (2002/03 to 2021/22):

- GSX & VIGP, with future off-Island generation (called "Portfolio 1" and "Portfolio 13"): $9,236,000,000;
- GSX & VIGP, with future on-Island GGCT generation ("Portfolio 2" and "Portfolio 11"): $9,081,000,000;
- 230 kV circuits, with off-Island generation ("Portfolio 3" and "Portfolio 14"): $9,222,000,000.

The BCUC found BC Hydro had over-estimated the cost of the 230 kV circuit alternative:

> The NPV cost of $9,222 million for Portfolio 14 includes $245 million of incremental TGVI gas transportation costs. If the incremental TGVI gas transportation costs are removed in order to be consistent with the determinations in Chapter 5, then Portfolio 14 [the 230 kV cables alternative] is $104 million less expensive than Portfolio 11 [GSX, VIGP and future on-Island CCGTs] and $259 million less than Portfolio 13 [GSX & VIGP, with future off-Island generation]. This is a material difference in favour of Mainland generation with a new 230 kV transmission line to the Island. [emphasis added] (VIGP review: BCUC Decision, 8 September 2003, p. 69)

However:

> **The Commission Panel considers that the results of the portfolio analysis are not conclusive.** While many of the scenarios favour VIGP and the development of gas generation on Vancouver Island, other scenarios support a new transmission line to the Island. ... In the current natural gas price environment, BC Hydro may have many other resource options available at lower cost than a CCGT on the Mainland. [emphasis in original] (VIGP review: BCUC Decision, 8 September 2003, p. 74)

6. In its economic calculations, BC Hydro underestimated the likely long-term price of gas.

As an additional economic factor against GSX and VIGP, the BCUC found that BC Hydro's long-term forecast of natural gas prices was unduly optimistic:

6

> **The Commission Panel concludes that gas prices in the future are likely to be higher than VIEC s reference price forecast.** [emphasis in original] (VIGP review: BCUC Decision, 8 September 2003, p. 39)

7. In its economic calculations, BC Hydro should have included a cost factor for greenhouse gas emissions liability.

7

As an additional economic factor against GSX and VIGP, the BCUC found that BC Hydro had factored in greenhouse gas ("GHG") emissions liability for VIGP, to the extent of $2 million (Canadian):

> Several intervenors raised the issue of greenhouse gas (GHG) emissions from VIGP, and the contingent liability that BC Hydro may face from possible future GHG emission regulations. VIEC included $2 million in the total net present value costs of Portfolios 1 and 2, as the expected cost of meeting its voluntary commitment to offset 50 percent of the GHG emissions from VIGP through 2010 (VIGP review: BCUC Decision, 8 September 2003, pp. 48-49.)

However, the BCUC found:

> ... the financial analysis of VIGP and alternative projects needs to explicitly recognize potential GHG liability.
>
> The evidence indicates that a GHG emission offset cost of $10 per tonne CO_2 equivalent is broadly supported at this time. This represents a cost of about $3.60/MWh for VIGP. ... It would also indicate a zero cost for hydroelectric and wind, and a nominal cost for generation fueled with biomass. A typical coal-fired generation plant would have a cost of $10/MWh. ... Including GHG liability costs in the comparison of alternatives will also address and give reasonable weight to the greenhouse gas emissions concern that several parties raised. **The Commission Panel determines that a GHG emission offset cost of $3.60/MWh in real 2002 dollars should be used in the analysis of VIGP.** [emphasis in original] (VIGP review: BCUC Decision, 8 September 2003, pp. 51-52)

8. The 230 kV alternative would be environmentally less harmful than GSX and VIGP.

8

The 230 kV sub-sea cable circuit from the BC lower mainland to Vancouver Island would be laid along an existing transmission cable right of way, according to BC Hydro's study: *Project Planning Report: 230 kV Transmission Circuit from Arnott to VIT* (BC Hydro System Planning Report No. SP2003-4: June 2003). (This study was filed in the VIGP review as VIEC's supplementary response of 16 June 2003 to BCUC Information Request 1.21.3 -- available on the BC Hydro web site). As such its direct environmental impacts would be expected to be minimal, and less than those of GSX.

The 230 kV alternative is superior to GSX and VIGP in its potential to avoid increases in GHG emissions. Building GSX and VIGP would unavoidably commit BC Hydro to increasing its system GHG emissions, to the extent of the emissions of the operation of VIGP, i.e. some 800,000 tonnes of CO_2 equivalent per year.

In addition, as demonstrated by BC Hydro's analysis of its resource portfolios (summarized under heading #5, above), a decision to build GSX would predispose BC Hydro to meeting future electricity demand on Vancouver Island with more gas-fired generation on the Island, instead of by other means, such as green (non-GHG emitting or GHG-neutral) energies or energy conservation. This is because the high capital cost of GSX makes for high transportation tolls for VIGP, and building more CCGTs to be supplied by GSX would spread its capital costs over more customers, reducing the per-customer and unit electricity costs. Effectively, a decision to build GSX would predispose BC Hydro toward higher system-wide levels of GHG emissions than might otherwise be the case.

The presumptive alternative to gas-fired generation would be energy conservation and green energy, not more fossil fuel energy:

During the VIGP review, BC Hydro argued that the 230 kV alternative would require the same additional amounts of gas-fired generation as would GSX, and the 230 kV alternative would therefore have the same GHG impact. The BCUC did not accept this claim:

> ... BC Hydro may have many other resource options available at lower cost than a CCGT on the Mainland. (VIGP review: BCUC Decision, 8 September 2003, p. 74)

Further, BC Hydro brought evidence of independent power producer proposals for some 5,500 GWh/yr of green energy (non-GHG emitting or GHG neutral) potential in BC, with a dependable capacity of 200 - 425 MW -- all at a ceiling price lower than the price of electricity from VIGP. (VIGP review: VIEC response to GSXCCC Information Request 1.4.1)

This potential is confirmed by the recent results of BC Hydro's latest purchase of green energy:

> The largest purchase of green energy in B.C.'s history will provide about $800 million in private-sector investment in 16 power projects, and an additional 1,800 gigawatt hours per year to meet the energy needs of British Columbians.
>
> ... The electricity, to be generated by 14 hydro, one landfill gas and one wind energy project, will be purchased under contracts with independent power producers ...
>
> ... "Our original plan was to acquire up to 800 gigawatt hours per year from this call, but we always reserved the right to increase that cap," [BC Hydro Chair and CEO, Larry] Bell said. "Given that all of the projects met our criteria – including that they all fell within our ceiling price of $55 per megawatt hour – and our need for new electricity supply, we decided to purchase electricity from all of them." (BC Government - BC Hydro joint news release, 26 September 2003)

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>
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9. The VIGP review identified several potentially viable and (in some cases) environmentally less harmful alternatives to VIGP.

9

Several intervenors in the VIGP review brought evidence of proposals for alternative means for meeting Vancouver Island's electricity needs, instead of GSX and VIGP. Some or all of these proposals may become tenders in BC Hydro's present CFT process.

Without addressing the specific merits of these potential alternatives, it is clear from the BCUC's findings that it believes some of these alternatives to be practical and promising:

> The Commission Panel views NorskeCanada's proposal [several small gas-fired cogeneration generators] as promising and considers that it has the potential to produce a lower cost alternative to VIGP. However, the Commission Panel recognizes that this proposal has arisen recently and will require significant work between BC Hydro and NorskeCanada to finalize their respective positions. (VIGP review: BCUC Decision, 8 September 2003, p. 60)

And:

> Considering that the cost of power from the plant [Green Island Energy Ltd: 104 MW biomass-fuelled -- i.e., GHG-neutral -- steam generators] is being offered at $60.10/MWh (which is much less than VIGP and is in line with the last Green Energy call), it would appear that this is an excellent opportunity for BC Hydro to contract with Green Island. Also, this generation resource could make an early contribution to improved operational reliability for Vancouver Island. (VIGP review: BCUC Decision, 8 September 2003, p. 60)

And:

> The Commission Panel believes that, with BC Hydro's willingness to accept the gas price risk and given the inherent efficiencies from cogeneration and the possible green benefits from the secondary use of CO_2 (e.g., in greenhouses), a number of [cogeneration projects using Maxim Power Corporation generators and systems] may become viable. However, the Commission Panel recognizes that much work will have to be done to identify and develop specific projects. (VIGP review: BCUC Decision, 8 September 2003, p. 61)

And:

> The Commission Panel notes that Strathcona and Ladore ["Resource Smart" upgrades to existing BC Hydro hydro-electric facilities] would be considerably more expensive than Revelstoke Unit 5 on a unit of capacity basis. Nevertheless, they provide other options for meeting relatively small capacity shortfalls on Vancouver Island. (VIGP review: BCUC Decision, 8 September 2003, p. 62)

And:

> The Commission Panel believes [Hillsborough Resources Ltd's proposal for a 60 MW coal-fired steam turbine generator] may have promising economic advantages providing environmental permits can be obtained and the issue with the Regional District can be resolved. (VIGP review: BCUC Decision, 8 September 2003, p. 61)

In the case of the Hillsborough Resources proposal, GSXCCC acknowledges that a coal-fired generation facility would cause more GHG emissions per unit of electricity generated than would VIGP. However, GSXCCC submits that, under the circumstances -- an effective commitment with GSX to build further CCGT on Vancouver Island -- it is environmentally preferable to risk the development of a coal-fired generation project (in competition with other, non-GHG emitting resources) than to "lock in" to a strategy of gas-fired electricity generation on Vancouver Island.

10. The proposal by Terasen Gas Vancouver Island to expand its pipeline capacity is a viable alternative, which may be more cost-effective than GSX.

10

In its decision, the BCUC accepted that the proposal by Terasen Gas Vancouver Island (TGVI) to expand the capacity of its pipeline system is a viable alternative to GSX, and the BCUC attempted to distinguish the two alternatives, based on cost:

> In response to a request from the Commission Panel Chair, BC Hydro and TGVI filed a joint submission on July 14, 2003 comparing the cost of GSX with that of the TGVI proposal. While resolving some differences, the parties did not reach consensus on which transportation proposal is more economic. (VIGP review: BCUC Decision, 8 September 2003, p. 44)

In summary, the BC Hydro/TGVI Joint Submission found that:

- BC Hydro believes that the present value ("PV") of service to the existing Island Cogeneration Project ("ICP") and VIGP over the relevant time period, using GSX, is $442 million (Canadian), while the same service provided by TGVI is $452 million -- i.e. $10 million more than with GSX.
- TGVI believes that the PV of service to ICP and VIGP using GSX is $419 million, while the same service provided by TGVI is $303 million -- i.e. $116 million less than with GSX.

In effect, BC Hydro believes the TGVI alternative has no significant cost difference from the GSX alternative; while TGVI believes its alternative is significantly cheaper. (A significant reason BC Hydro offers for continuing to favour the GSX alternative is that GSX becomes relatively more cost-effective in scenarios in which further gas-fired generation is built on Vancouver Island to meet future electricity demand. This further confirms GSXCCC's belief that building GSX effectively constitutes a commitment to further fossil fuel expansion beyond GSX and VIGP.)

In conclusion, GSXCCC submits that there is abundant evidence to refute the claim that GSX is needed to meet Vancouver Island's energy needs. In that case, any negative environmental effects of GSX cannot be justified.

All the above is respectfully submitted.

Sincerely,

Thomas Hackney, President

10/28/03 13:15 FAX 425 649 7098 DEPT OF ECOLOGY 031

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OCT 27 2003
DEPT OF ECOLOGY

Naturam Expellas Furca *Tamen Usque Recurret*

WISE USE MOVEMENT

Sheila Hosner
Department of Ecology
3190 160th Ave. S.E.
Bellevue, WA 98008-5452

RE: Draft Supplemental GSX Final Environmental Impact Statement

Dear Ms. Hosner:

We have reviewed a copy of the draft supplemental FEIS for the GSX pipeline project. We commend the Department of Ecology for preparing this draft document. We concur that the proposed project would have a significant adverse impact on the environment. The Wise Use Movement opposes the construction of this project and recommends, based on its adverse environmental impacts, that Ecology deny water quality certification and coastal zone consistency certification for this project. 1

The FEIS prepared for the Federal Energy Regulatory Commission's permitting process failed to adequately evaluate the need, or the project's environmental impacts. In particular, the FERC FEIS failed to present alternatives, including the no-action alternative in a fair and unbiased fashion. 2

Alternatives are the heart of the EIS process. 40 CFR Sec. 1502.14. Less-damaging alternatives such as an all-Canadian route, as well as increased delivery of natural gas to Vancouver Island via the existing natural gas pipeline must be evaluated, as the draft SFEIS has done. 3

The Wise Use Movement supports the recent motion of Fuel Safe Washington to reopen the FERC GSX docket and supplement the FERC FEIS. 4

The GSX pipeline would disrupt Washington wetlands. The proposed route would threaten Cherry Point, a critical shoreline area of statewide significance in Whatcom County (WA) for depleted herring stocks, which in turn are a feed source for anadromous salmon. The proposed 5

P.O. Box 17804, Seattle, WA 98127

route from Whatcom County to Vancouver Island also threatens the core area of the southern resident community of Orca whales.

Ecology's draft SFEIS, at pp. 3.3-17, 3.5-7 and 3.7-3, should address the environmental impacts of open cutting a trench through Cherry Point since FERC has already given its approval. FEIS, 3.4.2.3, p. 3-53. 6

The draft SFEIS, at p. 3.6-2 should also update the discussion of the SCADA system with lessons learned from the Olympic Pipeline disaster in Bellingham, WA, in 1999. 7

The draft SFEIS should quantify the energy savings that could be derived by conservation efforts and quantify the climate change gases generated by the GSX project over its life expectancy. 8

The draft SFEIS should list Williams Pipeline and B.C. Hydros' pipeline accidents over the last ten years. Williams has already had two spectacular pipeline explosions in Washington State. 9

In conclusion, the proposed GSX pipeline project puts Washington's resources at risk with no benefit for Puget Sound or the State of Washington. The project is not needed. As such, the no-action alternative represents the wisest choice.

Sincerely,

David E. Ortman
President

10/28/03 12:58 FAX 425 649 7098 DEPT OF ECOLOGY

PEOPLE FOR PUGET SOUND
pugetsound.org

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October 24, 2003

Sheila Hosner
WA State Department of Ecology
3190 160th Avenue SE
Bellevue, WA 98008-5452

Dear Ms. Hosner:

People For Puget Sound is a citizens group with over 10,000 members in the Puget Sound basin, including Whatcom and San Juan counties. On behalf of our members, we have the following comments on the draft Supplemental EIS for the Georgia Strait Crossing project:

1. There is no longer an immediate need to build the natural gas pipeline. As noted in your dSEIS: "The pipeline is a component of the proposed Vancouver Island Generation Project (VIGP)... The GSX pipeline would supply gas to the power plant. On September 8, 2003, the British Columbia Utilities Commission (BCUC) denied the VIGP application and recommended that BC Hydro proceed with a new analysis of alternatives to supply Vancouver Island's energy needs. At this time, the effects of the BCUC ruling on the U.S. portion of the GSX project are uncertain." In light of that uncertainty and several issues we believe not adequately addressed in the dSEIS, we recommend that the State of Washington would best serve its citizens by not approving the Washington state portion of the project until such time as there is a compelling and necessary reason to construct the pipeline. 1

2. Seismic risk: We find the draft SEIS discussion of the impacts of seismic activity in the marine portion of the pipeline route inadequate. To say that, if the pipeline were to be damaged due to seismic activity in the marine environment, "most gas would bubble to the surface and escape to the atmosphere" and that "Pressure-sensitive shut-off valves on both shores could be remotely or locally operated to isolate the ruptured marine segment" and that "The volume of confined gas would escape to a point where equalized with external pressure" does not address the fundamental issue of why place such a pipeline in an area where such damage might occur. 2

3. Horizontal directional drilling (HDD): The proposal to avoid environmental impact in the Cherry Point Aquatic Reserve by using the HDD method is not adequately discussed in the dSEIS. It is not adequate to say, "GSX has concluded that the HDD shore approach at Cherry Point is achievable with nearly 100% probability of success and is the primary and preferred method for the GSX shore crossing." There is no documentation provided that demonstrates similar application of the HDD method in similar environments to justify the claim of "nearly 100% probability of success." Further discussion 3

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(Section 3.3.9) describing the method does not address where the method has been used successfully and with minimal impact in similar environments.

4. Marine species: The effects of sediment during construction and in the event of a pipeline break are not adequately addressed. Citations provided are limited in respect to marine species and do not address their respective life histories—larval, juvenile, and adult-- in the nearshore and subtidal environments. 4

5. Effect on fishing: According to the dSEIS, "GSX-US recognizes that any project activities that significantly affect marine biota also have the potential to effect commercial and recreational fisheries." The effects of turbidity and noise on the marine biota are not adequately discussed in the dSEIS. GSX-US's discussions with commercial fishers and crabbers, as recounted in the dSEIS, are limited to discussions with non-tribal fishers. Treaty tribes with Usual and Accustomed Areas in the proposed pipeline route are co-managers of the harvestable resources. The dSEIS is inadequate in not assessing the social and economic impact on treaty tribe fisheries. We do not find sufficient reasons provided in the dSEIS to conclude that "With the use of specialized construction, and incorporation of proposed mitigation, significant adverse impacts would not be expected." 5

6. Leak detection: We find very little comfort in knowing that the pipeline would be monitored from the leak detection center in Salt Lake City, Utah. 6

7. Shorelines Management Act: The dSEIS glosses over why the construction and operation of the GSX pipeline furthers the goals and policies of the Shoreline Management Act and enhances these shorelines of statewide significance. The proposed project provides little benefit for the state or the citizens of Whatcom and San Juan counties. We believe the SMA requires that projects that affect shorelines of statewide significance should be held to a high level of consideration for long-term public benefit and not, as seems to be the case for the GSX pipeline, short-term opportunity and convenience. The long-term public benefit of this project has not been demonstrated in the dSEIS. 7

We appreciate this opportunity to comment on the draft Supplemental EIS and look forward to your response.

Sincerely,

Mike Sato
North Sound Director

Subject: FW: Georgia Strait Crossing Project-Comment Letter
Date: Tue, 28 Oct 2003 11:28:58 -0800
From: "Hosner, Sheila" <SHOS461@ECY.WA.GOV>
To: "Richard Butler (rbutler@shap.com)" <rbutler@shap.com>

GSX comments
-----Original Message-----
From: Gordon Scott [mailto:gordon@whatcomlandtrust.org]
Sent: Friday, October 24, 2003 4:01 PM
To: Hosner, Sheila
Subject: Georgia Strait Crossing Project-Comment Letter

Dear Ms. Hosner:

The Georgia Strait Crossing (GSX) project proposes to construct and operate a natural gas transmission facility at Cherry Pt. in Whatcom County. This reach of Georgia Strait shoreline is one of the last and largest undeveloped sections of natural shoreline in Northern Washington and is adjacent to the publicly owned Cherry Pt. Aquatic Reserve. Currently there is no public access to the public tidelands at Cherry Pt.

There are 135 miles of saltwater shoreline within Whatcom County, but only 7% of this total shoreline is open to the public. For 15 years Whatcom Land Trust, in cooperation with Whatcom County Parks and Recreation, has been actively involved in working to increase public access to public shorelines, including the Pt. Whitehorn-Cherry Pt. area. Increasing public access to shorelines in Whatcom County is a major element of both the County's Comprehensive Park and Open Space Plan and the County's Growth Management Plan.

Last year representatives of Whatcom Land Trust and Whatcom County Parks established the feasibility of providing public access at the GSX site at Cherry Pt. with one of the project partners. A small vehicle parking area and trail access to the beach were easily located on the GSX property well away from the proposed pipeline facility.

We strongly recommend that the Department of Ecology require that GSX provide a public access easement to the beach as a condition of their shoreline permit. 1

Thank you for the opportunity to comment on this proposal.

Sincerely,

Gordon Scott

Conservation Director

Whatcom Land Trust

41

Sheila Hosner

WA State Department of Ecology

3190 160th Avenue SE

Bellevue, WA 98008-5452

October 24, 2003

Dear Ms. Hosner:

Thank you for this opportunity to comment on the Department of Ecology DSEIS for the Georgia Strait Crossing Project. RE Sources, a membership-based environmental education and advocacy non-profit in Bellingham has a great interest in this project, in Cherry Point, and in the Georgia Strait. Through RE Sources North Sound Baykeeper program, RE Sources advocates for marine habitats and shorelines in Whatcom and Skagit County. In January 2002, RE Sources submitted comments on FERC's DEIS.

RE Sources takes the opportunity to comment here on both FERC's FEIS and Ecology's DSEIS. FERC's FEIS lacked meaningful analysis in parts of its document, and has not addressed many of the comments made in the DEIS. Unfortunately, Ecology did not ask for further clarification on some portions of the FERC DEIS which were inadequate. We hope that Ecology will take into consideration both the comments on the SDEIS, as well as on the FERC FEIS.

We find that the main shortcomings in the project as outlined are as follows:

1) There has been an insufficient needs and alternative analysis in FERC's FEIS. The FEIS states that the various alternatives that were reviewed were rejected based on difficulty,

safety, environmental harm, or cost. However, those reasons could easily be rebuked by a proponent of the alternative projects, and we could say that the GSX project must be rejected out of hand due to environmental or safety considerations, as well. Clearly a more objective weighting of the evidence is needed. The DSEIS outlines the potential for the Terasen alternative, which is clearly an environmentally superior alternative. However, nowhere in the document, does the DSEIS declare that the Terasen alternative is superior. Given the evidence, we question why this judgement was not made. 1

2) The safety considerations recommended by federal and state groups, and others, were rejected in the FERC FEIS. The proposed project, if allowed, will run through sensitive habitat and near residences. To not afford this community, which has suffered from pipeline failures and accidents, the highest level of consideration and protection, is unconscionable. 2

3) There will be many environmental costs associated with this project. One cannot run a pipeline through wetlands, streams, and a marine aquatic reserve without some cost being incurred to the environment. One cannot run a pipeline near sensitive habitats containing endangered or declining species, such as the marbled murrelet, bald eagle, rockfish, Cherry Point herring, and orca whale, without some cost being incurred to the environment. One cannot run a pipeline that disturbs 588.7 acres of land, 227.9 permanently, and 47.4 acres of marine environment, 20.2 permanently, and constructs a glory hole in the marine environment that displaces 2000 cubic yards of sediment and is 172 feet long without incurring environmental costs. The proponent plans to perform the construction for the project in the least damaging season and to mitigate for some of these costs. There is no mitigation plan that can be sufficient when faced with the fact that the project is unneeded. 3

ALTERNATIVES AND NEED ANALYSIS

There does not exist in the section titled, "no action or postponed action alternative", an analysis of need for natural gas. There is no quantitative—or qualitative- discussion of market 4

demand on Vancouver Island. Without this documentation, there is no justifiable reason to build a new pipeline. 4

Additionally, discussion of meeting electricity needs through an upgrade in the existing cable system or through cogeneration at mill sites (NorskeCandada proposal) has not been factored into the need analyses. It has been stated that the purpose of this project is for a natural gas transportation system, and that need or demand will be based on a contract for the gas. However, we find that a contractual relationship is not sufficient to show need or demand, especially in light of these other means available to obtain electricity. 5

In the FEIS, the following is stated, "The purpose of the proposed GSX project, including both the United States and Canadian components, is to provide a transportation system for natural gas to supply the growing demand for natural gas on Vancouver Island. In particular, the GSX system would transport natural gas for Powerex to two new electric generation facilities on Vancouver Island."

Additionally, in response to a comment submitted by RE Sources on January 30, 2002, the FEIS states, "As described in the FERC's preliminary determination, on non-environmental issues (issued on March 13, 2002) GSX-US would be required to demonstrate that demand for natural gas exists by executing a contract for the level of service and for the terms of the service represented in the precedent agreement with Powerex prior to commencing construction."

There no longer is a contract with Powerex, and the Vancouver Island Generation project has been denied by the British Columbia Utilities Commission. Therefore, what is the justification for this project? If there is a new justification, then the project is being changed substantially, and an amended EIS, and additional public comment period are needed. 6

Further, it seems that demand for natural gas cannot be ascertained by executing a contract. Executing a contract as mentioned, may show demand for gas, but it may also just show

speculation on the demand for gas. A better method is needed to show actual demand for natural gas.

Further, the FEIS states, "GSX-US states that the project is needed because the only transportation system for gas delivery to Vancouver Island is through pipelines operated by Centra. Centra's system does not have sufficient capacity to transport the additional volumes from the mainland to serve the long-term fuel requirements of the new power plants." This supposition is erroneous as described in the alternatives analysis in both the FEIS and the DSEIS. Centra does have sufficient capacity to transport the additional volumes from the mainland. Thus, by this argument, need has not been shown, and the project should not be allowed. 7

The FEIS states that the Centra expansions would "involve significant "environmental and engineering drawbacks" but does not analyze them sufficiently in comparison to the proposed alternative. The shortcomings include:

1) The need for the compressor stations are noted, but the estimated amount of air pollution coming from these stations are not compared with what will be emitted by the compressor station at Cherry Point. Additionally, there is no mention as to whether GSX-Canada will also have associated compressor stations.
2) The reference cited regarding the likely need for open cut drilling and for increased fuel consumption, Farquharson, 2002, is not given.
3) The reasons for choosing GSX as an environmentally superior alternative are not supported by the text. There is no evidence given that running pipeline through a new route in marine habitat is superior to running parallel pipeline in the same right of way through mountainous terrain (estimated to be only 29 miles of 161, in Centra, case1).

4) Comparing the number of named water bodies to be crossed, which vary in length, sensitivity, and type is not a useful comparison, but is one of the only quantitative comparisons offered.
5) A table, such as that listed in 4.2.2-1, that quantitates parameters for GSX and BC gas system alternatives, should also include the Centra alternatives. Additionally, the table would be more useful if it showed the number of compression stations needed, estimated amount of pollution from the compression stations, miles of marine waters crossed, miles of low, moderate, or high seismic / liquefaction hazard crossed, miles of sensitive habitat crossed, etc, and estimated cost.
6) There is no discussion as to why the same environmental constraints are not weighted equally in the GSX project and in the alternatives. The constraints, such as routing pipeline in a high liquefaction zone or in sensitive marine and freshwater areas, are seen as impediments in the alternatives, but not in the GSX proposal. If there are real differences in the liquefaction hazards or sensitivity of habitats, these must be discussed.
7) There is no citation given for cost estimates of the different projects, In fact, it is difficult to imagine that it was possible to estimate costs based on the fact that so much detail about the alternatives was not known.

The FERC FEIS states that the BC gas system alternative via Tsawassen does not appear to have a "clear environmental advantage over the GSX project", but it is comparable: "Adoption of either the GSX project or the BC gas system alternatives would involve a trade-off of environmental impacts." Given these statements, the FEIS needs to look in more detail at the BC gas system alternative, to adequately assess environmental impact. The BC gas system alternative would obviate the need for a U.S. portion of the natural gas pipeline. In that, alone, it is preferable, since the natural gas is designated for Vancouver Island, not for the U.S.

The two alternatives listed in the DSEIS both appear to be more environmentally responsible than the proposed GSX project. One of the proposals, the NorskeCananda co-generation project, is considered under the No-Action alternative since it does not function to transport natural gas. The possibility for it to deliver electricity and to affect the demand for natural gas, however, should be factored into the need analysis.

The Terasen pipeline proposal appears to be preferable to the GSX proposal for the following reasons:

1) The pipeline corridor already exists, and it exists within Canada, the place from which and to which the natural gas will be delivered. Because the pipeline corridor already exists, we can expect that impacts to sensitive habitat will be minimal

2) Only 45.7 miles of pipe will need to be laid in total and these will be twinned. In the GSX proposal, 84.5 miles of pipeline will need to be newly routed.

3) No new marine pipeline work would be needed, whereas, 41 miles of pipeline will be laid down in the GSX proposal.

4) Terasen's existing pipeline corridor has already been sited based on geotechnical, environmental, land use, and property ownership considerations, that are consistent with current route selection techniques.

5) Terasen's expansion will require approximately 40 acres, for its 3 compressor stations and liquid natural gas facility (LNG), and an additional 300 acre protective buffer around the LNG, that presumably would be left natural. The GSX-US portion will disturb 588.7 acres of land, of which 227.9 acres will be required for permanent operation of the facility. In the US marine portion, 47.4 acres will be disturbed and 20.2 of these will be permanently used for operation of the pipeline. The amount of land and marine habitat that will be disturbed by the GSX proposal is phenomenal, especially when one compares it to the Terasen proposal. (Note, that the comparison numbers here are between the entire Terasen proposal and only the GSX-US portion of the GSX proposal)

8

SAFETY

An unsafe pipeline is both a hazard to human life, infrastructure, and the environment. As regulators of the environment, please consider what harm an unsafe pipeline can bring to our flora, fauna and native habitats.

Comments from the Washington Utilities and Transportation Commission (WUTC), dated 10-29-2001, were concerned with safety and they were nearly all rebuked. This disregard for safety and for state concerns is alarming. It does not give the public any comfort or security to know that this pipeline will not be operated and inspected under the highest safety considerations.. Noted in the WUTC comments were the following:

1) The WUTC recommended that the pipeline operate at a hoop stress below 30% specified minimum yield strength because pipelines that operate like this generally do not fail catastrophically and provide greater public safety. The FEIS states that the pipeline will operate within the law, but did not address its hoop stress, which by law, can operate at a hoop stress of 72%. 9
2) The WUTC asked that the pipeline be odorized in places near homes and businesses. Again, the FEIS stated that the pipeline would operate within the law and that odorization was not required.
3) A high susceptibility to corrosion in Whatcom County was noted and the WUTC requested that cathodic protection be installed within 90 days. Once again, the FERC FEIS states that the pipeline would operate within the law, and that cathodic protection would be installed within one year.
4) WUTC outlined a four point internal inspection plan to assure the safety of this pipeline. Again, it was rebuked.

5) WUTC further outlined a four point program to evaluate and mitigate the threat of a catastrophic failure near residences. Three of the four points were not addressed in FERC's reply.

RE Sources notes that in response to its comments (1-30-2002) on pipeline safety, that the FERC FEIS did acknowledge that a high percentage of pipeline accidents were attributable to corrosion and construction/material defect. In light of this knowledge, the refusal to accept WUTC's recommendations appears to demonstrate disregard for this community and its safety.

LACK OF INTEGRATION OF U.S. /CANADIAN ENVIRONMENTAL REVIEW

The FEIS does not address the comments by the EPA (2-4-2002), that stated that Canadian analysis should be included in the FEIS. Sec 1.5 was amended to give a brief overview of the review/public comment process in Canada, but it does not give specifics on decisions made or analyses on the Canadian side. Canadian analysis does not appear to have been integrated into the FEIS. 8

LACK OF ECOSYSTEM SCALE ANALYSIS

While the FEIS does include discussions of impacts on specific areas (e.g. Cherry Point area), it does not appear to have been revised to address wider, ecosystem scale affects, as requested in the EPA comments (2-4-2002).

EPA (2-4-2002; FA1-12) explicitly asks what the impacts will be to sensitive areas if alternatives were pursued. This question is not addressed in the FERC FEIS at all.

Regarding the specific example of Alden Banks, is 0.7 miles far enough away to negate risks from catastrophic spills or other long-term effects? In regard to other sensitive and/ or productive areas, is the pipeline routed through them or at a sufficient distance from them? How has "sufficient" distance been calculated and is it justified?

IMPACTS TO WETLANDS

We concur with EPA's comment (2-4-2002) that a 404(b)(1) analysis on wetlands is needed. FERC's response did not address whether the proposed route did the least harm to wetlands. The response said that mitigation measures had been discussed and that the Corps was a cooperating agency with FERC. However, this still does not address the main issue that the "EIS must demonstrate that impacts to waters of the United States, including wetlands, have been avoided, minimized, and mitigated (in that sequence), consistent with the Section 404 (b)(1) guidelines". Please address why a 404(b)(1) analysis was not made part of the EIS. It is stated that 404 permits will be needed prior to construction. Will the requirement to show that the least damaging route has been selected be enforced then, at that late date, when plans have been made nearly final? 11

SEISMIC ACTIVITY

We concur with EPA's comment (2-4-2002) that the quoted 10% chance for seismic activity to exceed design parameters over 50 years, is too great. The FERC FEIS response makes a distinction between design parameters and design standards, but does not give the likelihood that seismic activity would exceed the design standards. This information is needed before decision-makers and the public can assess whether the pipeline meets their safety and comfort level. Additionally, WA DNR (1-31-2002) recommended that the design standard of 2% in 50 years be used as occurs in critical facilities. This design standard was rejected in the FEIS. 12

In addition FERC's states in its response that potential environmental impacts from a pipeline failure are discussed in section 3.1.3. However, this section only includes discussion regarding seismic and liquefaction hazards. It does not discuss the environmental or human health and safety consequences of those hazards. Impacts from potential seismic events should be discussed in the same level of detail as the potential effects of construction and operation. There is also no discussion of the GSX-US' mitigation plans should a pipeline failure occur.

No information is given on the number and distance of free spans that the pipe would overlay, if any. Nor is any information given on how seismic activity would affect the pipe that overlays them.

40 YEAR LIFE SPAN

The GSX project is a large project with numerous environmental costs. The environmental costs do not seem warranted for a project whose life span is very short. 13

MARINE OFFSHORE SPILL PLAN (Appendix F)

The spill plan which has been included, in part, to minimize the harm from any potential spills, to marine animals, especially those that are endangered or threatened, is a needed component to the GSX project plan. Two additional components are needed for this spill plant to be most effective. 14

1) The plan needs to be implemented for both GSX-US and GSX-Canada.

2) Operators of ships, barges, and heavy equipment must be knowledgeable and trained as to how to handle any spill. Many plans go unutilized during a time of stress, unless personnel have already been thoroughly trained.

CUMULATIVE IMPACTS

Cumulative impacts for marine vegetation should be assessed as requested in the comments from WA DNR (1-31-2002). The FEIS response to the request is disingenuous as it states that post construction surveys will be recommended, but in the revised EIS, these post-construction surveys are only recommended if the HDD crossing method is not used. Even if thel preferred HDD method is used, its use may have long-term impact, specifically from the construction of the glory hole. 15

IMPACTS FROM THE GLORY HOLE

Has there been pollutant and metal analyses done for the sediment that lies in the glory hole excavation site? Because this is an industrial area, there is the potential for pollutants to be released from the drilling and dredging operation. 16

CONCERNS REGARDING GROUNDFISH

RE Sources finds that its comments to FERC (1-30-2002) were not addressed. Specifically, note that our populations of declining groundfish, comprise slow- moving and territorial species. These comments are reprinted here for your response.

"In addition to Alden Bank, the proposed route crosses other important fishing areas (both for tribal and non-tribal fishers). Sucia Island and Patos Island are historically productive fishing grounds for LingCod and Halibut and may be adversely affected by both construction and operation of the pipeline. It also passes close to a San Juan County Marine Protected Area (a groundfish recovery zone) just north of Waldron Island. The assessment of potential impacts to groundfish included in this DEIS is inadequate. Stating that the pipeline will not adversely affect these species because they "can swim away" is close to absurd. There does not appear to be any background documentation of such statements. Data must be provided about the species types, diversity, and abundance of groundfish and other fishes in the area. Certainly, there is a strong potential that these fish will be negatively impacted during construction and operation because groundfish are slow moving and very territorial. It cannot be assumed that they will swim away, even in high turbidity waters or when being smothered by settling sediments that have been disturbed during the trenching operation. They are known to protect their territories and to show little mobility, particularly during the adult phase of their life, which can last many years. These are long-lived fishes that, because of their long life span, tend to produce fewer young per reproductive cycle. Pipeline impacts could greatly impact individuals, reproduction, and hence the local population, which is currently depressed." 17

UNDERWATER NOISE IMPACTS

RE Sources also finds that the FERC EIS addressed in some detail the underwater noise impacts that operation of the pipeline would have on various marine animals. However, the construction operation was not described in any such detail. Missing were the expected frequency and decibel analysis that might be expected from construction, and an analysis of how various marine animals would respond to those levels. Also missing, is an estimate of the length of time, in both days and hours per day, that construction will occur. 18

FRAGMENTATION OF FOREST STANDS

We find that the analysis of fragmentation of forest stands in the DSEIS is not sufficient. To assert that fragmentation of one of the stands is acceptable because some of the trees are newer growth is wrong-headed. Running a pipeline through the forest stand will permanently fragment it whereas allowing continued regrowth of the stand will allow it to become better habitat than it is currently. We suggest that the proposed route bypass this stand. 19

Thank you for this opportunity to comment. RE Sources respectfully asks that this project be postponed indefinitely, due to insufficient need, better alternatives, and concerns related to the environmental and safety.

Sincerely,

Wendy S. Steffensen

North Sound Baykeeper

RE Sources for Sustainable Communities

San Juan County
Marine Resources Committee
PO Box 947
Friday Harbor, WA 98250
Email: planning@co.san-juan.wa.us
Web site: www.co.san-juan.wa.us/mrc/index.html

October 22, 2003

Sheila Hosner
WA State Department of Ecology
3190 160th Ave. SE
Bellevue, WA 98008-5452

Re: Draft Supplemental Environmental Impact Statement – Georgia Strait Crossing Natural Gas Pipeline Project

Dear Ms. Hosner:

There are several issues that are skirted by the present superficial consideration of impacts. This is despite our several efforts to elevate these points earlier.

- Biological Preserve
- Geomagnetic Influences
- Noise Impacts on Fishes
- Bald Eagle Territories in the San Juan Islands

Biological Preserve
Not only are these waters of statewide significance, they are by the Washington Administrative Code a Biological Preserve (the only marine preserve in the State assigned specifically to research and education). Both the process of pipeline installation and its subsequent operational hazards are tangible threats to the integrity of the Biological Preserve. This is because of potential damage to harvestable organisms, and species essential to research and education, caused by noise and pollution and also from alterations to topography that could influence unfavorably the migrations and crucial behaviors of marine organisms. 1

Geomagnetic Influences
The installation of a steel pipeline will certainly create a local magnetic anomaly along its length that could disorient any organisms that use geomagnetic cues for their onshore-offshore migrations in their natural life-history cycles. The fact that magnetic cues are only now becoming known (and documented in published work*) as factors in the migratory behaviors has emerged from research centered in part at Friday Harbor Laboratories. This absolutely should be researched carefully prior to any permanent installation of a large iron pipe across the Straits. It would be equivalent to placing an 2

iron pipe beside the compass of an airplane or ship, and expecting the craft to proceed on its course accurately. In this case, any migrating organism that approaches the pipeline while following benthic cues and using also an internal geomagnetic compass (e.g., crabs, sea slugs, fish, etc.) could become disoriented.

This issue should be properly researched by field work and appropriate lab experiments to determine the influence of metallic pipelines on magnetic orientation of organisms. The cost of this work must certainly be borne by the proponents of the pipeline.

Noise

The DSEIS fails to provide a thorough examination of the effects of anthropogenic sounds on fishes related to the construction and operation of the proposed pipeline. In most cases, the sounds produced by humans are relatively low in frequency, with the bulk of the energy below 1,000 Hz. Thus, these sounds are within the hearing range of fishes and so have the potential to affect fish as well as marine mammals. Essentially, all fishes are able to detect sounds within the frequency range of the most widely occurring anthropogenic sounds.

Because fishes live in a naturally "noisy" environment and because they have probably evolved to gain environmental information from this noise, anything that hampers their ability to detect biologically relevant signals will have a potentially deleterious effect on their survival and thus the health of fish populations. For example, responses to sound could affect behavior extensively and result in the fish leaving a feeding ground or an area in which they would normally reproduce or in some other way affect long-term behavior and subsequent survival and reproduction. Another behavioral effect might occur if the increased ambient noise prevented fish from hearing biologically relevant sounds. This interference, called masking, is a consequence of noises being in the same frequency range as communication of other biologically relevant sounds.

3

While it is hard to predict the consequences of changes in stress levels on fish, a temporary loss of hearing could mean that a fish loses some ability to detect predators or prey, communicate acoustically, and/or determine the structure of the acoustic environment. Clearly such effects would alter the survival of a fish.

Longer-term effects are also possible. Because the sensory cells of fishes are virtually the same as found in terrestrial vertebrates, it is likely that exposure to loud sounds might permanently deafen fish and, again, decrease their chances of survival. Although we most often think in terms of very loud sounds as having the most potential effect on animals, including humans, it is well documented that longer exposures to any anthropogenic sounds may also affect the health and well-being of a human or other animal. Thus, we need to be concerned about the effect on fish under long-term exposure to sounds that are significantly above the normal ambient acoustic environment in which they evolved, such as the sound made by gas at 2,000+ p.s.i. rushing through a pipeline. If nothing else, it will be important to ask the right questions to determine if the effects are present and important of if they have little or no long-term consequence to the

organism. To date, such questions have not been adequately answered in any document describing the potential impacts of the proposed pipeline.

Bald Eagle Habitat
Bald Eagle nesting, feeding and roosting territories occur throughout the San Juan Islands along the marine pipeline route. These are not acknowledged in the DSEIS nor is mitigation discussed necessarily relevant to the marine portion of the route. 4

DSEIS Adequacy
Finally, the DSEIS falls short of disclosing the environmental impacts evaluated by the environmental reports cited but barely summarized, if at all, in this public record. Because of this, it fails to communicate what is known and why what's known is enough to support conclusions that the adverse environmental impacts are either not significant or are mitigated to a level of nonsignificance. As long as the above impacts are not adequately evaluated, disclosed, and mitigated, compliance with the policy of the state for shorelines of statewide significance remains doubtful. 5

Sincerely,

A. O. Dennis Willows, Member

David T. Hoopes, Member

Kelley Balcomb-Bartok, Member

*Willows, A.O. Dennis. 1999. Shoreward orientation involving geomagnetic cues in the nudibranch mollusc Tritonia diomedea. Marine and Freshwater Behav. and Physiol. 32: 181-192.

STATE OF WASHINGTON
PUGET SOUND WATER QUALITY ACTION TEAM
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October 25, 2003

Ms. Sheila Hosner
Department of Ecology
3190 160th Avenue SE
Bellevue, Washington 98008-5452

Regarding: Comments on Draft Supplemental Environmental Impact Statement for the Proposed Georgia Strait Crossing Natural Gas Pipeline Project

Dear Ms. Hosner:

Thank you for the opportunity to comment on the Draft Supplemental Environmental Impact Statement for the proposed Georgia Strait Crossing natural gas pipeline project. I have limited my comments to the specific issues listed in Table 1-1 of the draft SEIS. The final SEIS should contain introductory information and references to ensure that decision makers are considering information on environmental impacts from both the FERC Final EIS and the SEIS.

Description of the Proposal and Alternatives
The SEPA Handbook encourages agencies to describe a proposal as an objective. This allows the SEIS to consider reasonable alternatives that will achieve the objective at less environmental cost. Allowing the proponent to define the proposal's objective narrowly may preclude the necessary consideration of alternatives. In this case, the proposal is to build a natural gas pipeline. One must assume the purpose is to serve energy needs in the area that would be served by the pipeline. One alternative should be to meet energy needs through conservation. Another alternative would be to generate electricity on the mainland and run underwater transmission cables, which may pose fewer environmental risks to shipping or marine life. The draft SEIS includes an alternative proposal to increase natural gas supplies to Vancouver Island. 1

In looking at Vancouver Island energy needs, one needs to consider the supply and need for both electricity and natural gas. The need for this natural gas pipeline proposal is reduced if new sources of electricity are provided through transmission lines from the mainland. If conservation reduces the need for either electricity or natural gas, the total need for natural gas could go down. It appears that the cogeneration proposal that might slightly increase natural gas use but greatly reduce electricity use, which would reduce the need for gas for electrical generation. 2

Given the inevitable and irreversible environmental impacts of a project such as this one even with the incorporation of reasonable mitigation, an additional overall mitigation measure would be to require that construction not proceed until the need for this project it firmly established. 2

Plants and Animals

3.5.3 Issue 2
The list of references does not constitute the summary of information called for in the issue. Many species of marine fish are seriously reduced abundance and small alterations in ecosystem conditions may cause further declines. Please include a summary of information in the final SEIS. Since these species were not discussed in the FERC EIS, the final SEIS should also identify any adverse impacts and discuss possible mitigation. Unavoidable adverse impacts should also be discussed. 3

3.5.8 Issue 7
The draft SEIS should contain an impact analysis and mitigation plan, not references to other documents. Please include a complete analysis in the final SEIS including adverse impacts, mitigation and unavoidable adverse impacts. 4

Reliability and Safety

3.6.2 Issue 1
The discussion does not fully address the Issue. Some valves can be closed from Utah, others must be closed by "local operations personnel." What is the availability of local operations personnel and how long would it take for them to respond if there is a rupture? How long might it take to stop an upland leak? Given that there will be no valves in the entire underwater segment, for various leak sizes indicate how long a leak would continue with gas bubbling to the surface and endangering fish and wildlife, marine mammals and surface vessels. 5

The draft SEIS lists some mitigating actions mentioned by the WUTC and essentially rejects them. That is inappropriate in the SEIS. A more balanced discussion of the pros and cons should be included so decision makers can consider what mitigation to require in approvals issued subject to SEPA.

Air Quality

3.11.2 Issue 1
The SEIS should present monthly average wind roses for each segment of the project area for which there is a significant difference, from Sumas to where the pipeline reaches Vancouver Island. Predominant winds differ significantly over the year. The wind patterns for the sites of the blowdowns mentioned in 3.6.2 should be presented so that the potential movement of gas from emergency venting can be considered. 6

3.11.3 Issue 2

The draft SEIS says that dispersion modeling is not provided because a PSD permit isn't required. SEPA requires a complete assessment of the cumulative impact of the entire project and must consider the impacts of an element of the project which might not require such a review as a stand alone project. The final SEIS should present dispersion modeling as called for in this issue. Adverse effects should be identified and mitigation considered. Decision makers must consider the cumulative impacts of the entire GSX project. 7

Thank you for the opportunity to comment.

John Dohrmann
Director of Government Affairs

October 24, 2003

Ms. Sheila Hosner
Department of Ecology
3190 160th Ave SE
Bellevue, WA 98008-5452

Subject: Draft Supplemental Environmental Impact Statement for the Proposed Georgia Strait Crossing Natural Gas Pipeline

Dear Ms. Hosner:

Thank you for the opportunity to comment on the proposed Georgia Strait Crossing natural gas pipeline project. Our main issues are included in this letter. Enclosed please find more detailed comments.

The Washington State Department of Natural Resources (DNR) is responsible for the management of state-owned aquatic lands, and specifically the aquatic lands being proposed for the Williams' gas line right-of-way. DNR is in the process of establishing the Cherry Point area as a state aquatic reserve (Cherry Point Aquatic Reserve). The objective of establishing an aquatic reserve is to protect and support unique aquatic systems and functions at the Cherry Point site.

DNR's interim policy for areas being proposed as aquatic reserves requires that future-leasing activities that will be authorized and prohibited within aquatic reserves will be established after the area is formally designated as an aquatic reserve. It is also requires that the site-specific management plan has been adopted.

DNR is presently initiating the development of a management plan and supplemental environmental impact statement, through the State Environmental Policy Act (SEPA), for the proposed Cherry Point Aquatic Reserve. The management plan and the supplemental environmental impact statement are scheduled for completion in April 2004. At that time DNR will determine if the proposed GSX gas line can or should be sited at the Cherry Point Aquatic Reserve site and, if appropriate, the conditions for allowing this use.

If the approved use results in unavoidable impacts, appropriate compensatory mitigation will need to be determined, and are consistent with state and federal mitigation requirements. DNR is currently developing policy that addresses the use of state-owned aquatic lands for mitigation

1

activities. This policy requires that impacts realized on state-owned aquatic lands must also be compensated for on state-owned aquatic lands. In addition, the policy will detail additional requirements regarding appropriate mitigation activities on state lands, fees associated with these activities, and the long-term management of mitigation sites.

1 cont.

DNR requests that the project's proponent and the Federal Energy Regulatory Commission (FERC) consider this in their final plans for this project.

If you have questions, you may contact Steve Jennison, Orca Straits District Manager, at (360) 854-2833.

Sincerely,

Hugo Flores
ERC Coordinator

c: David Palazzi, Aquatic Reserves Program Manager
David Roberts, Orca Straits District
Chad Unland, Orca Straits District
Steve Jennison, Orca Straits District
Fran Mc Nair, Aquatics Steward
Loren Stern, Aquatic Resources Division Manager
Carol Piening, Aquatic Resources Planning Section

Enclosure

General Comments:

Determination of Significance: If the NEPA FEIS is being appealed on adequacy, it seems counter-productive to adopt the full document. Under WAC 197-11-610(3)(b) it states that a NEPA EIS may be adopted if the, "...federal EIS is not found inadequate: (a) By a court; (ii) by the council on environmental quality (CEQ) (or is at issue in a pre-decision referral to CEQ)..." It would have been better to adopt the portions that were not being challenged. 2

Fact Sheet: If the BCUC ruling is uncertain, this project could be in a lengthy litigation. Permits/leases/authorizations may need to wait until resolution of the BCUC ruling. This needs to be made clear in the document. 3

Even though the stated alternatives are the (1) proposed GSX-US and Canada alternative, (2) Terasen Gas Alternative and (3) No Action (Norske/Canada) Alternative, the Draft SEIS does not treat the analysis equally so that comparison of impacts are difficult. Additional surveys, studies, research should have been done to allow comparison of impacts between the proposed alternative and the others. It appears that since the NEPA FEIS chose GSX-US as the preferred alternative, despite the analysis being inadequate in a number of areas (39 issues), the proponents do not see the need for further comparisons. However, a different conclusion may be reached if the full analysis, as proposed by the lead agency, was done. It is suggested that a matrix of each issue and each alternative be added to show comparisons between the alternatives. 4

It is extremely difficult to review the Draft SEIS when the document keeps referring to other documents that have the information. Even if the NEPA FEIS is available at Ecology's Bellevue office, the information is not readily available to the "agencies with jurisdiction". The entire SEPA document refers the reader to other documents that are not easily available. They do not summarize the information in many of those cases. For example, they reference Resource Reports 2, 3 and 6 but do not usually summarize the information, nor show where a copy is located. WAC 197-11-635(2) Incorporation by reference-procedures states, "Material incorporated by reference (a) shall be cited, its location identified, and its relevant content briefly described; and (b) shall be made available for public review during applicable comment periods (emphasis added). The Resource Reports could not be located, and Ecology's on-line link to reach the Final EIS at the FERC's website doesn't allow immediate access to the document. They do include the Geotechnical Investigation (GI) on seismic information but the study was performed around Saltspring Island in Canada. There is no information related to the United States side. 5

It is not clear who owns what land throughout the length of the proposed pipeline. An ownership map with the route overlaid on top would be helpful. 6

Specific Comments

1. Same page. The document states that any additional surveys would be conducted after the HDD is completed. Prevention measures cannot be implemented if the activity has already occurred. 7

2. Page 38. Figure 3.2-1. While the faults are identified (and discussed in the text), the pipeline route is not clearly overlaid on the photograph so that the reader can visually see the pipeline route in relation to the fault lines. 8

3. Page 39. Issue 1. 3.2.2. While the impacts of earthquakes overall may be the same, it is not clear if the soils/bedrock in both the marine and the freshwater areas are identical to those they analyzed for Canada. The assumption is that they probably are not completely the same so that the impacts may not be identical either. One of the potential impacts is that if they horizontally drill in the area of fault lines, they could have the bed material collapse on the bit (per Bob Suda, DNR, Division of Geology & Earth Resources). While there are ways to address this problem, they should state briefly how they would deal with this issue. 9

4. Same Page. In addition, there are herring beds on the U.S. side of the project area and probably eelgrass although the document doesn't identify what vegetation is located along the pipeline areas. If there was scouring, there would be scouring of any shellfish beds in the area. If there is an earthquake, (particularly a strong one), it would be difficult to get near the area of impact to shut off the valves locally. The shut-off valves located in Utah may not be activated in a timely manner. 10

5. Same Page. Certainly, a contingency plan for handling an emergency needs to be provided. In addition, preliminary mitigation plans for any habitat and species losses due to a seismic disaster should be developed with the ability to create more specific mitigation as needed. 11

6. No discussion has been made as to whether a ruptured line would cause impacts to fish or shellfish. The document should have a brief discussion about temperature increases, pressure changes, and sedimentation drift over shellfish beds and aquatic eggs. While this may not be a concern, SEPA requires disclosure if there are or are not impacts. The document needs to briefly summarize various information from references that have been reviewed. 12

7. Page 40. Significant unavoidable impacts. They do not address unavoidable impacts. Even though the proponents assume there will most likely not be significant unavoidable impacts, they should acknowledge the potential for a worst-case scenario whereby a severe earthquake collapses the cliff and severely ruptures the pipeline. 13

8. Page 54-55. If you analyze one impact with one alternative, you should compare the impact with the other alternative. The Terasan Gas Alternative seismic impacts were not compared with the GSX-US impacts). 14

9. Page 41. Issue 2. 3.2.3. An estimate was given that scour of first category water bodies would be 3-5 feet. It is unclear whether this was calculated based on Terzaghi (1936), or whether the calculation was from some other source. 15

10. See Comment #9 above. If there are no scour effects from the Terasen Alternative, this should be stated. 16

11. Page 42. Issue 1.3.3.2. Affected Environment. The document needs to spell out which waterbodies may be affected and the type of water bodies, their current status, and potential for flooding, scouring, shifting on the floodplain, and how degraded they currently are as to land use around them (including 303d listings) /riparian structure, streambed materials, i.e., shale, and a brief description as to where the pipe will cross/lay parallel to these water bodies. Are the water bodies, where the pipe will occur, in rural areas, urban, agricultural land, and forestland? 17

12 Same Page. Under impacts, there should be discussion concerning the 303d listed streams that the pipe will impact. 18

13. Page 43 and 46. If the trenchless process fails, does that mean the borer is stuck, the borer couldn't continue? The document needs to briefly state situations that constitute "failure". The types of failures need to be spelled out: i.e., the borer not able to penetrate the substrate, the borer bit breaking, the substrate collapsing on the borer, etc. Discuss how a 2nd or 3rd attempt would be proposed. There needs to be discussion of potential mitigation if more than one site needs to be drilled due to failure. For instance, there will be pits to hold bentonite, other additives, and removed bed material slurry. Will more than one pit be used? If so, what are the impacts and mitigation for those impacts? Mitigation should be discussed, even if it is just using BAS measures to prevent damage to streams and land. 19

14 Page 44. Unavoidable impacts: No discussion was included so it is impossible to determine if the unavoidable significant impacts would be unlikely. 20

15. Page 45. 10% or less dewatering could be significant if there are fish in the stream. It is questionable whether this technique would be allowed by WDFW. Usually, the water is piped around the area that needs to be dry (and work occurring only during the work window which is during the dry season). If that is the method, then it needs to be clear. 21

16 Page 45. If the Terasen Alternative will use the same method or something similar and is allowed in Canada, this should be stated. 22

17 Additional discussion should include, even if briefly, the following the references cited:

a. What are the impacts on herring eggs by bentonite and other additives that often are used in the boring process? 23
b. What about any shellfish being covered over by the clay material?

18 Page 47. Issue 3.3.3.4. What about the open cut over freshwater streams? What contingency plans are there? 24

19. Issue 4.3.3.5. Page 49. It is doubtful that the trench method as described could receive an HPA from WDFW if these are fish-bearing waters or waters that flow into fish-bearing waters. 25

20 Issue 4. 3.3.5. Page 49. While clean gravels may be helpful, repairing the banks with native vegetation (i.e., willows, etc.) or other bioengineering repair should be undertaken. 26

21. Same Page. Other agencies must approve the mitigation measures if they involve a DNR authorization or a permit from WDFW, not just Ecology. The plan should incorporate information that may be needed by other agencies. 27

22. There should be a brief summary of what is in the wetland/riparian report rather than just refer to it. 28

23 Issue 5.3.3.6. Page 50. The document differs in methods of how the upland pipeline will be laid. Earlier in the document they discuss using trenches, and HDD. It states on Page 50 that bridges would be used to cross perennial streams. Perhaps a table at the beginning of the section, with references to each described methods would help to make the document clearer. 29

24. Page 52. The document does not say that it will only use the open cut method if the HDD method fails. This needs to be clear. See the previous comment. 30

25. Issue 6.3.3.7. Page 53. Until now, it doesn't state that work will be done in the dry. While the section discusses advantages of a flume crossing, earlier discussions seem to suggest the method of crossing may be a bridge, or trench. 31

26. Page 53. Explain why the volume of work area that needs to be dewatered is much less for flume crossings than for bore crossings and cite a reference. 32

27. Page 53. If the water is pumped to a holding site, it will reduce the amount of water in the stream at least temporarily, particularly if the water seeps into the ground. 33

28. Issue 7.3.3.8. Page 57. If the site needs to be moved (e.g., "In addition, the dewatering structure can be moved to an alternate location if it is determined that the water is not being sufficiently absorbed by the surrounding area"), cite the potential "other site" or sites. 34

29. Page 58. If there are problems that require the site to be moved, they should identify mitigation for the impacts of the first site, and maybe the second site. 35

30 Page 59. Since we do not have access to the FEIS, we cannot review the information that they refer to in 3-70. (At Gulf Road, GSX-US proposes several measures as described on pages 3-70 and 3-72 of the Final EIS. Further protections.... (refer to page 3-70 of the Final EIS)). 36

31. Page 59. What about sediment disturbance to migrating fish? 37

32. Benthic organisms are assumed to repopulate in 1 – 2 years. During that time (impact period), there should be some mitigation to replace the 1-2 year loss. 38

33. Page 63. The document needs to discuss impacts to herring eggs. Bisson, et.al.'s study was performed in a freshwater environment. And, I think they came to a slightly different conclusion. The study quotes Newcombe and MacDonald, 1991:
"Turbidity may be caused by suspended sediments such as silts or clays, or fine particulate organic material. Increased turbidities can be injurious to fish and aquatic life, particularly if conditions of high turbidity persist for a long duration (Newcombe and MacDonald, 1991). Effects on fish range from avoidance of highly turbid areas and reduced growth to direct mortality (Bisson and Bilby, 1982; Sigler et al., 1984; Cordone and Kelly, 1961). A high degree of correlation exists between elevated turbidities and high road densities and widespread, recent timber harvesting. Models based on the field data indicate that in disturbed watersheds, streams experience turbidities greater than 100 nephlometric turbidity units (NTU) for two to three months a year, whereas streams in undisturbed watersheds have such high NTU readings only two or three days in a three year period. There is a strong correlation between turbidity levels and suspended sediment transport (Lewis and Eads, 1996). It is expected that during storm events, discharges of sediment to watercourses may result in increased turbidity."

Bisson, et.al.'s conclusions (1982) were as follows (Page 373, 1st column): "The results of our experiment suggested that coho fry should not be stocked when streams are carrying a high load of suspended sediment. Rather, they should be released when streams are clear or slightly turbid so that the fish have time to adjust to relatively low levels of suspended sediment and thus raise their tolerance to periodic turbidity increases during storms." "...the results of this study indicated that moderate turbidity increases over low background levels may not cause avoidance by juvenile coho salmon. However, acceptance of this conclusion should await testing of controlled, sediment-addition studies in natural streams." [This was a study designed around applications for fish stocking. The fish did avoid relatively high sediment loads, i.e., >70 NTU. The study indicated that coho move into turbid water when frightened, (sacrificing their physiological well-being for a "safety" reaction.]

In addition Bisson, et al states: (Page 372, 2nd column, 1st paragraph) "Fright behavior was actually observed in more than four trials but the first two times it was noted the trial was aborted and the fish discarded." ..."We do not know what elicited the fright response among coho salmon acclimated to turbid water except to speculate that it was related to the sudden transfer into an environment where cover was lacking." 39

34. Page 63. The "no impacts" from sediment determination is misleading and the citing of the references was misinterpreted, using partial findings. If fish have an aversion to a sediment plume, it means they could be driven into marginal areas, areas where they are more susceptible to predation, and into areas already occupied, increasing competition. If they are not avoiding a moderate plume area, because of need for food, or out of fish stress, then they may have increased impacts to their physiology—changes in chemical balances. The references also do not deal with aquatics that can't move or move minimally: See: *Effects of Suction Dredging on Streams: a Review and an Evaluation Strategy*, Harvey, Bret C. and Thomas E. Lisle, Fisheries, Vol. 23, No. 8, page 10: "However, not all benthic invertebrates can be expected to rapidly re-colonize disturbed areas. For example, many mollusks [freshwater mussels] have low dispersal rates ...and limited distribution in river systems..." This also would be true concerning any egg deposits. Harvey, et al's article (quoting other references) also states that even slight sedimentation levels may interfere with finding prey (Barrett, et al. 1992, and predator success (Berg and Northcote, 1985). **40**

35. See the following: Page 68, Whitman, Et. Al., (reference cited by proponent), "Thus, while under normal conditions few salmon will swim up a non-natal river, sufficient degradation of water quality apparently can induce such behavior." (Last sentence). Other statements, page 68, 1st column, 2nd paragraph, " ...show the presence of ash reduced the preference for home water."..."Thus, the reduced home-water preference...was due to ash avoidance." 2nd column, "Previous studies indicate that under some conditions, salmon will stray into and spawn in non-natal rivers if their home river is altered sufficiently by suspended solids (Sumner and Smith 1940; IPSFC 1964.). **41**

36. Page 65. Ecology requested that the proponents summarize non-listed species. Instead, they cite references. Reviewers should not have to round up the references to find out the answers. While the whole document does not need to be included, just referenced, information that they are using does need to be summarized. WAC 197-11-635 Incorporation by reference procedures (2) "Material incorporated by reference (a) shall be cited, **its location identified, and its relevant content briefly described**; and (b) shall be made available for public review during applicable comment periods. [Emphasis added.] **42**

37. Issue 2. 3.5.3. (Page 65). This section on impacts and mitigation, is inadequate. The document needs to discuss if there will be impacts to other species of fish, mollusks, egg casings, and other aquatic species. **43**

38. Issue 4. 3.5.5. Page 71. Again, the document does not summarize the information about noxious weeds used in a referenced document. **44**

39. Issue 6. 3.5.7. Page 74. It doesn't state where the relocation of the Cherry Point refinery was moved, how far away from the first site, and the type of vegetation at the new site? **45**

40. Page 75. "Woody debris will be placed in the floodplains **of selected water bodies** [emphasis added] to increase biologic diversity..." The *Wetland and Riparian* **46**

Restoration Plan is not available for review. Since they have made changes since the FEIS, it needs to be available. The document should specify which streams the proponent will do what to for mitigation. **46 cont.**

41. While the DSEIS is fairly good for documenting procedures/methods for wetlands, (See page 75-77) it leads a lot to be desired for other agencies' permit requirements. The assumption is that Ecology worked out requirements prior to issuance of this document. However, I don't think the writers spent much time thinking through other impacts that other agencies have authority to regulate. **47**

42. Issue 7. 3.5.8. Page 78. I disagree that the affected area needs no additional analysis. They need to state what the condition is now, so that review of impacts can be analyzed. **48**

43. Page 78. The document mentions eelgrass concerns for the GSX-Canada portion, but then only says to refer to the FEIS and Resource Report 3 for the US portion. This SEIS is the document that needs to contain information to determine impacts to U.S. waters. **49**

44. Page 78 (Section under GSX-Canada). The viscosifer agent also is a concern for the US portion. Without knowing what is in the area, it is hard to comment. **50**

45 Page 81. Concerns at the marine pipeline exit from turbidity have not really been addressed. How will they control turbidity as the borer exits, how will be pipe trenching from the exit onward handle turbidity, marine soils disturbance, crustacean/fish impacts at the time of construction? **51**

46 Page 81 (Issue 7; 3.5.8; marine vegetation and wildlife) It is questionable whether authorizations, permits, leases (permits) would be issued prior to consultation for mitigation. The document should state potential ways to mitigate for impacts that cannot be prevented by avoidance or methodology so that agencies could determine if the conditions they may include in their permits would prevent additional impacts. **52**

47. Page 81. If they had to provide a detailed site-specific environmental management plan for Canada's environmental review, they certainly should do the same for the U.S. prior to construction, particularly for marine waters and about the HDD. A contingency plan needs to be devised if there is failure of the HDD. **53**

48. Issue 9. 3.5.10. Page 88. The proposed pipeline right-of-way will require a forest practices permit from DNR. The Forest Practices Act, Chapter 76.09 of the Revised Code of Washington (RCW) rules and regulations will be applicable to this project. **54**

49. Mitigation measures: Just because "The Applicant has already made significant efforts to follow existing utility alignments," it does not mean that additional mitigation should not be done. They did a much better statement for the Canada part, and I would think that they could do the same with the U.S. section. **55**

50. Issue 1. 3.6.1 and 3.62. Page 91. Referring the reader to an application with FERC to answer a safety inadequacy (emergency delay response) does not provide additional **56**

Aquatic Resources Program 7
10-24-03
C.Pratt

analysis. While the information may be included in the application, it was considered not sufficient in the FEIS; otherwise it would not have made the list of things to address in this supplemental. The items listed under mitigation make little sense unless the affected environment is discussed or at least summarized. **56 cont.**

51. Page 92. If the "program" is being developed, how will we review it for adequacy? **57**

52. Issue 1. 3.7.2. Page 98. No discussion was included under Land Use and Other Planning concerning the Aquatic Reserve. **58**

53. Page 102. They state that they will use HDD methods to "mitigate" impacts to the reserve. While this reduces impacts, does it completely mitigate for the impacts? **59**

54. Page 104. They list Nooksack R. and Terrell Creek as critical areas, but neglect the herring spawning beds—I think these are close enough to be included in critical areas. **60**

55. Page 104-107. No mention of DNR's requirements for authorization has been made. DNR's mandate to manage state lands should be included in this section. **61**

Aquatic Resources Program
10-24-03
C.Pratt

8

EXECUTIVE'S OFFICE
County Courthouse
311 Grand Ave. Suite #108
Bellingham, WA 98225

Pete Kremen
County Executive

October 24, 2003

Via email shos461@ecy.wa.gov

Sheila Hosner
Department of Ecology

Dear Sheila :

As the County Executive of Whatcom County, I am writing to comment on the Georgia Strait cross sound pipeline proposal. Public Access to the Beach at Point Whitehorn has long been a high priority of Whatcom County.

I urge you to condition any permit for the pipeline on the grant of an easement for public access to the beach at Point Whitehorn. Such access, including a public parking area, has been explored on the ground by the Whatcom Land Trust and one of the proponents of the project. A parking area and a trail for beach access can easily be put in place without in any way impeding the pipeline project. 1

Thank you for your attention to this important concern of Whatcom County, the only part of the United States through which the pipeline will pass.

Sincerely,

Pete Kremen
County Executive

Office (360) 676-6717 County (360) 380-1403 Fax (360) 676-6775 TDD (360) 738-

NORTHWEST
AIR POLLUTION AUTHORITY

1600 South Second Street
Mount Vernon, WA 98273-5202
Tel: (360) 428-1617 / Fax: (360) 428-1620
Serving Island, Skagit and Whatcom Counties

October 13, 2003

RECEIVED
OCT 14 2003
DEPT OF ECOLOGY

Sheila Hosner
WA State Department of Ecology
3190 160th Ave. SE
Bellevue, WA 98008-5452

Ms. Hosner:

This letter provides comments from the Northwest Air Pollution Authority (NWAPA) on the Washington Department of Ecology draft supplemental environmental impact statement (DSEIS) issued September 24, 2003. The NWAPA is the local air pollution control agency responsible for both reviewing the Notice of Construction Application for the Cherry Point compressor station and issuing a permit under the new source review regulations. We received an application in April 2001 from the Northwest Pipeline Corporation for this project. The application is being resubmitted since much of the information has to be updated.

Comment 1: The fact sheet on pages ii and iii list the permits required for the project and the agencies responsible for those permits. The Northwest Air Pollution Authority's Order of Approval permit covering air pollution issues should be listed here. 1

Comment 2: Table 1-2 addresses the requirement for "dispersion mapping" in Issue 2 of the Air Quality section. The description of the problem on page 3.11-2 uses the more accurate term "dispersion modeling" to describe the process whereby an applicant determines whether a project's toxic air pollutant impacts are below the acceptable source impact levels (ASILs). Although it is true, as stated in the proposed action, that the project is not subject to the Prevention of Significant Deterioration (PSD) permitting program and the applicant is not required to perform computer modeling of emissions under that program, the permittee must still perform this modeling for their application to the NWAPA. The applicant has hired a consultant to perform this modeling for both criteria pollutants (nitrogen oxides, carbon monoxide, sulfur dioxide, volatile organic compounds, and particulate matter less than 10 microns in size) and toxic air pollutants regulated under Washington Administrative Code (WAC) 173-460. 2

If changes to the DSEIS are made to the fact sheet, Table 1-2, and 3-11-2 and 3-11-3 incorporating our comments, Section 3.11 of the document, Air Quality, will more accurately reflect our agency's air quality permitting process. We appreciate the opportunity to provide these comments. If you have any questions, please call Annie Naismith at (360) 428-1617 ext. 225, or send an email to annie@nwair.org.

Sincerely,

James Randles
Director

E-mail: info@nwair.org Website: http://www.nwair.org

SAN JUAN COUNTY
COMMUNITY DEVELOPMENT & PLANNING DEPARTMENT
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October 24, 2003

Ms. Sheila Hosner
Washington Department of Ecology
3190 160th Avenue SE
Bellevue, WA 98008-5452

RE: Draft Supplemental Environmental Impact Statement for the Georgia Strait Crossing Pipeline Project

Dear Ms. Hosner:

The San Juan County Community Development and Planning Department is in receipt of the Draft Supplemental Environmental Impact Statement (DSEIS) for the Georgia Strait Crossing Pipeline prepared by the Washington Department of Ecology on September 24, 2003. This department has reviewed the document and provides the following comments.

1. *1.1 Project Background:* Did the tap valve requested by OPALCO during the FERC environmental review process become part of the proposal? Residents of the San Juan Islands do not have access to natural gas service. Although the project does recognize the potential for expansion into other markets, the project currently does not specify a lateral link for future provision of natural gas service to our islands. We believe including a tap valve in the pipeline during the initial construction phase for future service to the San Juan Islands would be beneficial. Providing a tap valve now will reduce cost of retrofitting the pipeline with a tap valve in the future. In addition, retrofitting the pipeline will cause additional impacts to the sensitive marine environment since the marine environment will, once again, be disrupted during installation of the tap valve at a later date. This added disruption and its impacts to the marine environment can be avoided by installing a tap valve during the initial construction stage of the pipeline. **1**
2. *3.2.2 Issue 1*: The DSEIS does not identify or discuss earthquake faults that run along the sea floor and potential seismic activity associated with these faults. Also, the DSEIS fails to recognize that San Juan County, in its entirety, is a Seismic Zone 3 in accordance with the Uniform Building Code (UBC). Being located in a Seismic Zone 3 classifies San Juan County as a category III geologically hazardous area and is subject to the Unified Development Code critical area regulations. The DSEIS does not specifically acknowledge or identify Seismic Zone 3 hazards, sea floor earthquake faults, or how the proposal intends to avoid or mitigate pipeline failure and respond to emergencies caused by seismic activity in the marine environment. **2**
3. *3.6.2 Issue 1:* In order to track the progress of pipeline construction and to assure that federal safety standards are being adhered to, San Juan County requests copies of notices of field and structural inspections, leak surveys and other monitoring reports. In addition, we request notice of any violations that may occur during the entire course of construction and operation of the pipeline, as well as compliance dates. The document should include these requests as part of the mitigating measures. **3**
4. *3.5.9 Issue 8:* The DSEIS fails to recognize bald eagle habitat associated with San Juan County and the surrounding marine environment. The pipeline is to be constructed within _ mile of Patos Island. Patos Island is a designated bald eagle territory and is occupied by several nesting sites. Due to the close proximity of pipeline construction activities to Patos Island and nesting sites, a habitat management plan should be prepared addressing impacts to bald eagle habitat and foraging areas. **4**

The habitat management plan should also provide mitigating measures to assure protection of the habitat and foraging areas.

5. *3.7.2 Issue 1*: The DSEIS does not fully identify land use regulations for San Juan County that apply to the proposal. First, the sea floor is considered an environmentally sensitive critical area subject to both the geologically hazardous area regulations as mentioned previously in this letter, and the fish and wildlife conservation area regulations for bald eagle and marine habitat. These standards can be found in Sections 18.30.120, 18.30.160.A.1 and 18.30.160.B.2.b of the San Juan County Unified Development Code (UDC). Second, the Shoreline Master Program policies and development regulations for Economic Development, Utilities and Environmentally Sensitive Areas have not been identified. The policies and regulations can be found in Sections 3.2.D, 3.4.D and 3.5.O of the San Juan County Comprehensive Plan, and Sections 18.50.080 and 18.50.350 of the UDC. 5
6. *3.12.2 Issue 1*: The lack of fully addressing all aspects of noise impacts on marine mammals prior to construction and operation of the pipeline is a concern. San Juan County, as well as other groups and individuals, has discussed concerns throughout the environmental process including review of the FERC DEIS regarding insufficient information and analysis of noise impacts created by this proposal. The DSEIS should include analysis of noise impacts on marine mammals including but not limited to the auditory and reproduction systems, especially for those species in a depleted status. The analysis should also address the cumulative impacts of noise generated both above and below the surface of Puget Sound before and after construction, and propose mitigating measures, if needed. Because there appears to be a gap in available information pertaining to noise sensitivity of marine mammals, San Juan County requests, at a minimum, that a monitoring plan be required to assess noise impacts on marine mammals during construction and operation of this pipeline. This information should be made available to the public in report form as a resource to access when other marine developments are proposed. 6

In closing, we thank you for allowing San Juan County the opportunity to comment. The proposal has yet to demonstrate that it furthers the goals and policies of the San Juan County Shoreline Master Program and provides the protection required of sensitive marine and upland habitats. The proposed Georgia Strait Crossing pipeline introduces a significant risk to the health and well-being of a sensitive marine environment surrounding our islands which cannot be taken lightly.

Sincerely,

Francine Shaw
Deputy Director

cc. Joseph McKenna-Smith – Community Development and Planning Director
Alan Marriner – Deputy Prosecuting Attorney

Subject: FW: Georgia Strait Crossing Project
Date: Tue, 28 Oct 2003 14:19:57 -0800
From: "Hosner, Sheila" <SHOS461@ECY.WA.GOV>
To: "Richard Butler (rbutler@shap.com)" <rbutler@shap.com>
CC: "'Powell, Tim L'" <Tim.L.Powell@Williams.com>

This came in after the official end of the comment period, but I said I would pass it on

-----Original Message-----
From: Brent Norberg [mailto:Brent.Norberg@noaa.gov]
Sent: Monday, October 27, 2003 1:50 PM
To: Hosner, Sheila
Cc: Ken Hollingshead; Bob Donnelly; Lynne Barre; Lynne Barre
Subject: Georgia Strait Crossing Project

To: Sheila Hosner, WA Dept. of Ecology

Sheila, This is in response to your recent card announcing public workshops and hearings on the Georgia Strait Crossing Project Environmental Impact Statement. I was unable to attend the hearings but was contacted by a consituent regarding lingering concern over the potential effects of underwater noise associated with operation of the pipeline. In reviewing Ecology's SEA Program Home Page I noted that two studies are cited as assessing this potential. According to our constituent, Dr. David Bain, Univ. of Washington, there may yet be flaws in the cited studies which may mean that operational sound levels will be higher than anticpated and could result in the localized disturbance of marine mammals in the area of the pipeline. Among the species that may be affected are Southern Resident killer whales, recently designated as a depleted stock under the Marine Mammal Protection Act, and harbor porpoises. If operational noise from the pipeline has the potential to disturb marine mammals along the pipeline route, it will be necessary for the operator to obtain a small take authorization under the Marine Mammal Protection Act. I wanted to ensure that this comment was received as a follow up to our previous comment to the Federal Energy Regulatory Commision regarding operational noise from the pipeline. Thank you for contacting us regarding the hearings. 1 2

Brent Norberg

Brent Norberg <Brent.Norberg@noaa.gov>
Marine Mammal Coordinator
NMFS, Northwest Region
Protected Resources Division

GEORGIA STRAIT CROSSING PROJECT

Williams

2800 Post Oak Boulevard
P.O. Box 1396
Houston, TX 77251-1396

October 22, 2003

Attn: Ms. Sheila Hosner
Washington State Department of Ecology, NWRO
3190 - 160th Ave. SE
Bellevue, WA 98008-5452

RE: Comments on the Draft Supplemental Environmental Impact Statement
Georgia Strait Crossing Project

Dear Ms. Hosner:

Georgia Strait Crossing Pipeline LP (GSX-US) has completed its review of the Draft Supplemental Environmental Impact Statement (DSEIS) prepared for the above referenced project. GSX-US notes that in particular, previous submittals regarding the treatment of project alternatives and the Sumas and Vedder Mountain faults have not been incorporated in the DSEIS. While GSX-US acknowledges that Ecology may include the material they deem appropriate, GSX-US respectfully disagrees with Ecology's interpretation of alternatives and assertion that the Sumas and Vedder Mountain faults may affect the pipeline. Therefore, we would like to restate our comments for the record. However, since GSX-US has made more then one filing with Ecology regarding these issues, among others, GSX-US is not requesting a detailed response to these items, assuming our comments will be included in the final document as submitted for the public record. By way of format, GSX-US is providing comments on broader issues in text form and submitting grammatical comments in tabular form at the end of this transmittal.

GSX-US does not believe the NorskeCanada proposal should be addressed in the SEIS.

The NorskeCanada project will not reduce the demand for natural gas on Vancouver Island as stated in the DSEIS. In fact, the NorskeCanada proposal requires incremental volumes of natural gas and will cause expansion of an existing pipeline or installation of a new pipeline in order to meet additional delivery requirements. As proposed, the NorskeCanada projects would require 52 TJs/day (approximately 49,300 Dth/day) of natural gas. Currently, a total of 21 TJs/day (approx. 19,900 Dth/day) is available for use by NorskeCanada on the Terasen Gas Vancouver Island, Inc. (TGVI) system. The additional 31 TJs/day (approx. 24,900 Dth/day) would need to come from a system expansion or new pipeline (GSX, TGVI, etc.). Therefore, in conformance with the Washington Administrative Code and Ecology's definition of the GSX-US project's objective, any alternative presented in the SEIS should be able to deliver natural gas to Vancouver Island. Instead, the NorskeCanada projects, if built, would be a consumer of natural gas on Vancouver Island as opposed to a supplier of natural gas to Vancouver Island. The NorskeCanada project is an alternative to the Vancouver Island Generating Plant (VIGP), not GSX-US, and should be removed from the FSEIS. 1

The Consequence of the No Action Alternative is only that GSX-US would not be constructed.

The FSEIS should state that the only reasonably certain consequence of No-Action would be that the GSX-US project would not be constructed. The No-Action could have other consequences, but those consequences are not subject to identification or detailed examination at this point. Although it is clear that if GSX-US were not constructed, BC Hydro would need to find another way to meet Vancouver Island's growing energy needs, it is uncertain whether any future alternative could meet the needs in the required timeframe, and there is no way for Ecology to predict how such needs would be met. 2

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The TGVI proposal should not be considered an alternative to GSX-US.

As represented, the TGVI proposal is the only "alternative" that states it can meet the same general objective as the GSX-US project (deliver natural gas to Vancouver Island). TGVI is currently the sole provider of natural gas to Vancouver Island and did not present its current proposal to BC Hydro during the initial bid process in which GSX was selected, nor was such proposal presented as an alternative in the Federal Energy Regulatory Commission proceedings that resulted in a certificate being issued to GSX, or the National Energy Board regulatory processes that considered whether GSX should be built. Rather, this proposal was put forward in recent hearings on the VIGP and therefore, the TGVI proposal is at a preliminary stage. Significant detail is missing from the proposal and it is not an application but a project description. At this time, the TGVI proposal has not been subject to environmental, engineering, economic or regulatory review and does not have customers for the proposed expansion. Therefore, it is not appropriate to describe the TGVI proposal as an alternative because it has not been demonstrated that it is a feasible alternative that can meet the same objective with a lower environmental cost. At best it is one possible business opportunity that someone else might pursue in the event Ecology determines that a No Action Alternative is appropriate for GSX. 3

The BCUC Decision on VIGP does not change the need to complete SEPA and permitting for GSX-US

While the BCUC denied the application for VIGP, they agreed that there is a need for additional electric generation capacity on the island. The Commission expects BC Hydro to re-submit a CPCN application or an Electricity Purchase Agreement (EPA) and has stated that they will consider either on an expedited basis. While BC Hydro will consider other proposals, the GSX and VIGP projects are the benchmark for the process, as confirmed by the BCUC decision, and therefore, need to be preserved, as no other feasible alternate proposal has been presented or proven to provide a better solution. Vancouver Island is still in need of additional capacity, and to date, the only proven way of providing that capacity in a timely, reliable and cost-effective manner is the proposed VIGP and GSX projects. 4

Ecology should limit its consideration of DSEIS comments to those 39 issues included in the DSEIS

During its review of the Federal project record, Ecology determined the public process conducted for the FERC EIS was more than adequate to satisfy SEPA requirements. Further, the Ecology review determined that only those 39 issues identified in the DSEIS required further action. Therefore, GSX-US states that the FSEIS should only consider comments received on the 39 issues presented in the DSEIS. GSX-US strongly believes it would be inappropriate, and would unreasonably delay project permitting, to accept and process comments on issues that Ecology has determined were adequately addressed in the Federal process. 5

The GSX project is not a component of VIGP

At several locations in the DSEIS, the GSX project is described as a component of VIGP. GSX is not a component of VIGP; they are separate and distinct projects, with different owners. VIGP could be built with or without GSX as the gas supplier. Alternatively, if VIGP is not constructed, GSX could provide gas supply to the ICP and/or other replacement on-island power generating project(s). In fact, the existing ICP plant currently requires additional firm natural gas capacity (approx 45 TJs/day – approximately 42,650 Dth/d), which would be addressed by GSX. 6

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The Sumas and Vedder Mountain faults are not active or "potentially active" and the Vedder Mountain fault does not cross the GSX-US pipeline route

A figure showing the relation of the GSX pipeline to the two ancient faults identified by Easterbrook et al. (2001) is provided below. The location of the Vedder Mountain Fault, east of and parallel to the pipeline alignment, precludes the pipeline alignment from crossing the fault. The Sumas Fault is shown to be about 6.5 miles further to the west. If the projection of the trace of the Sumas Fault as shown on the geological maps is accurate, the pipeline would cross the fault trace about 2 miles northwest of the Town of Lynden –approximately at Mile Post 6.4 along the alignment.

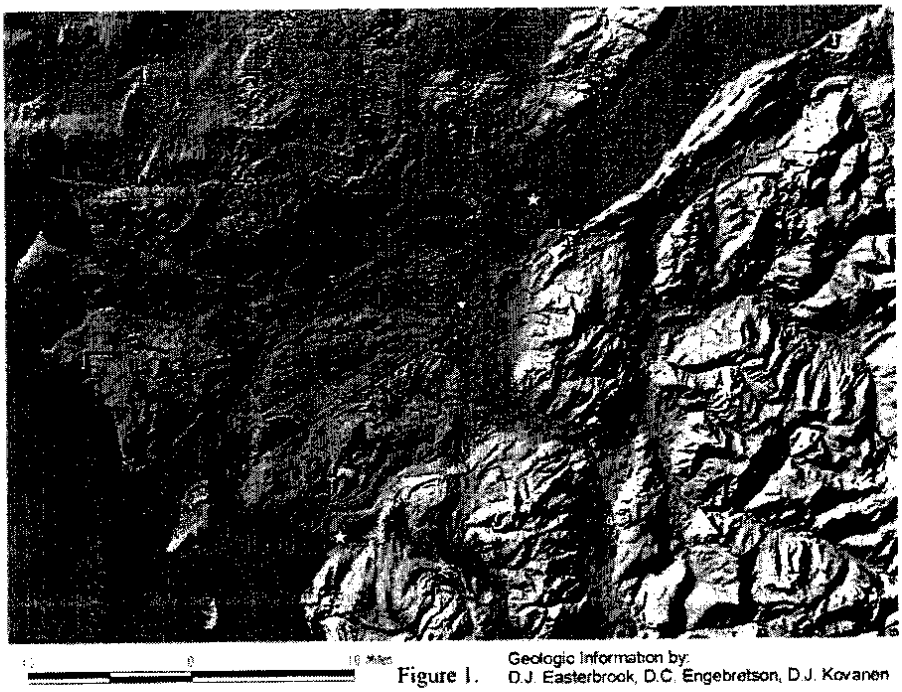

Figure 1.

GSX believes that no further pipeline engineering or construction measures are required to accommodate fault movement of the Sumas or Vedder Mountain faults. The current pipeline design is sufficient to accommodate all anticipated seismic loadings (ground shaking and liquefaction induced movements such as settlement, floatation, and lateral sliding). The pipeline does not cross the Vedder Mountain fault and therefore will not be subject to surface soil movement at that fault. In addition, there has been no evidence of surface rupture of either the Sumas fault or the Vedder Mountain fault in the past 12,000 years. Therefore, neither the Sumas fault nor the Vedder Mountain fault pose a threat to the pipeline as was indicated in the Easterbrook et al. report as further discussed below.

7

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The Easterbrook et al. paper discusses potential seismic hazards in the Sumas area that relate to these two fault traces. The inference in the paper is that these faults are active. The geotechnical and seismic analyses completed for the proposed GSX gas pipeline considered that potentially active faults would have to have shown signs of movements in the past 12,000 years (i.e., since the last glacial period). The faults discussed in the Easterbrook et al. paper have not produced surface expressions of any post-glacial movements that GSX-US is aware of. Thus, there are no known active faults along the land portion of the pipeline route in Whatcom County as has been previously stated. Further, neither the Sumas or Vedder Mountain faults are included in the latest (July, 2003) seismic hazard maps prepared by the USGS for seismic hazards with recurrence intervals of 475 and 2,500 years and these faults do not seem to be considered in the determination of seismic zones used in the latest hazard maps for southwestern British Columbia.

The Easterbrook et al. paper, prepared by geologists from Western Washington University (WWU), is apparently an advocacy report prepared for use by opponents of the SE2 project near Sumas, Washington. The authors hypothesized a direct correlation between recent seismic activity and movements along these ancient faults. The GSX consultants disagree with the WWU geologists' conclusion and believe that, in fact, there is no scientific evidence to support this argument. It must be recognized that their report has not been published in any scientific journal nor presented at any conference where it could be appropriately discussed by professional seismologists. Based on the consulting team's experience, there are a number of aspects of Easterbrook et al. report that would be significantly challenged in a scientific forum. Rather than their report providing "compelling" evidence, the GSX consultants consider the available evidence to be in favor of the conclusions presented in the original GSX geotechnical report. During field investigations and review of the geological reference material, both used to prepare the GSX geotechnical report, no information or surficial evidence could be found regarding surface ruptures during the past 12,000 years of the Whatcom Basin sediments due to active faulting.

7 cont.

Relative to the appropriate engineering design of the pipeline to resist seismic induced stresses, there are appropriate engineering standards to be used based on the location, overall seismic risk and probability of earthquake related soil and rock accelerations and movements. The appropriate level of engineering evaluation has been completed, which includes the probability of earthquakes, the potential for active faults and the capability of the pipeline to withstand seismic loading. The pipeline has been designed to withstand the impacts of the design-level earthquake for the area using current engineering practice. The risk of an event occurring that would impact the pipeline beyond the design parameters considered is extremely low. GSX and our consultants conclusions are that the referenced faults are not "active" or "potentially active" and therefore additional design measures, beyond those already included to handle any potential liquefaction induced soil movements, are not required.

Extreme hypothetical scenarios reported by Dr. Easterbrook point to massive destruction of any residential, commercial or industrial project in the area and cannot be used to justify abandoning such development. While earthquakes represent a risk for all people and structures in this region, the risks are routinely managed by proper engineering design and construction measures, as is the case with the GSX pipeline.

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Comments on DSEIS			
Section	Page #	Comment	
Adoption Document	1	Under "EIS Required:" it states "The lead agency has determined this proposal is likely to have a significant adverse impact on the environment." There are no findings in either the FERC FEIS or DSEIS that determine there will be significant environmental impacts associated with the GSX-US project.	8
1.1.1	1-1	The first sentence of the first paragraph states that the FEIS was issued on July 17, 2003 - it should read July 17, 2002.	9
1.1.1	1-1	The last sentence of the first paragraph should read: The GSX-Canada portion of the project is undergoing environmental review under the provisions of the Canadian Environmental Assessment Act.	10
1.2.1	1-2	The second sentence should read: "This includes construction of up to three new compressor stations, installation of additional compression at an existing station, pipeline looping of 45.7 miles of existing pipeline….." The reference to 45.7 miles of looping does not reconcile with the looping mileage that is set forth on page 2-10. The summary on page 2-10 would suggest 45.3 miles of looping.	11
1.3	1-2	Chapter 6 (not 5) contains the distribution list for the DSEIS. Chapter 5 lists acronyms and abbreviations.	12
Table 1-1	1-3	In Issue 3 (Ecology Requirement) it should be reworded to state "Include descriptions and evaluations of the Terasen Gas proposal in the SEIS.	13
Table 1-1	1-5	In Issue 5 under Action, the end of the last sentence should be "clearing crews are to avoid fording perennial streams (see Section 3.3.6)"	14
Table 1-1	1-6	In Issue 3 under Action, the reference should be to Section 3.5.4 rather than 3.5.3.	15
Table 1-1	1-7	Issue 8 – Ecology has included Bertrand Creek as a bald eagle roosting site on the basis of observing eagles one time during the field visit. Designation of this area as a roosting site does not appear to be supported by WDFW records.	16
2.1.1	2-1	The second sentence of the first paragraph should read: At Boundary Pass, the pipeline would connect…..	17
2.2.2	2-7	The last sentence of the first paragraph under "Pipeline Facilities" should read: The marine portion of the project would terminate……	18
2.2.2	2-7	In the last paragraph under "Pipeline Facilities" the reference to Terasen Gas should be replaced with TGVI	19
2.3.2	2-10	The last sentence of the paragraph under Compressor Stations should read: In addition, compression horsepower would be increased at TGVI's existing compressor station at Coquitlam, with modifications to the Texada Island compressor station.	20
3.2.2	3.2-1	Under Description of Problem, the faults are described correctly as Sumas and Vedder Mountain. Under Affected Environment they are transposed as Vedder and Sumas Mountain in the first sentence. GSX does not believe these faults are not active or "potentially active."	21
General		In some instances "Williams Gas Pipeline Company" is incorrectly referred to as Williams Pipeline Company.	22
		The Terasen Alternative should be considered as one possible outcome of the No Action Alternative. Any reference to NorskeCanada should be eliminated from the document.	23

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Please contact me at 713-215-2719 if you have any questions or comments. I can also be reach by e-mail at tim.l.powell@williams.com.

Sincerely,

Timothy L. Powell
Sr. Environmental Specialist

GEORGIA STRAIT CROSSING PIPELINE PROJECT

(Williams Gas Pipeline Company and BC Hydro Gas Pipeline)

SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

Public Hearing

(5:30-6:10 p.m.)

October 14, 2003

589 Nash Street

Friday Harbor, WA

HEARING OFFICER: BEV POSTON

Staff in Attendance: Shiela Hosner

Barry Wenger

KAREN P. SHIPLEY, CSR No. 2051 - 360-679-8493

I N D E X

10/14/03

Testimony received from:

KAREN P. SHIPLEY, CSR No. 2051 - 360-679-8493

Whereupon, after preliminary comments, the following proceedings were had:

HEARING OFFICER: You're on.

Okay. And I always go by my watch because it's always right. Let the record show that it is 5:34 p.m. on October 14th, 2003 and this Public Hearing is being held at the Friday Harbor Senior Center, 589 Nash Street, Friday Harbor, Washington.

The primary purpose of this hearing is to receive public comments regarding the proposed Supplemental Environmental Impact Statement for an 85-mile natural gas pipeline proposed by Williams Gas Pipeline and BC Hydro. The Draft Supplemental Environmental Impact Statement was published on September 24th, 2003 which opened up the Public Comment period.

The legal notice of this hearing was published in the Bellingham Herald and the San Juan paper on Wednesday, October 1st, 2003.

The hearing notices were also published in the SEPA Register, No. 200306075.

In addition, display ads were published in the Bellingham Herald and the local San Juan paper on Sunday, October 5th, 2003.

Ecology also directly mailed out approximately 400 announcements to interested parties, Washington State and

United States government agencies, Canadian agencies and the Tribes.

Okay. When I call your name, please step up to the microphone and give your name and address and who you're representing and please begin providing comment for the record.

And the first person who needs to catch his ferry is Mr. David Bain. Please come up and be seated, sir.

A VOICE: That's "Dr. David Bain."

HEARING OFFICER: Hi.

DAVID BAIN: Hi. I'm David Paine. I'm an affiliate assistant professor of psychology at the University of Washington. I'm speaking for myself rather than any group.

HEARING OFFICER: Okay.

DAVID BAIN: My research involves primarily studies of killer whales, but I've also done a lot of the work on the effects of noise on marine mammals. And in the course of that work I've been doing surveys on marine mammals throughout the intra-waters of the State of Washington.

And my reason for being here is I'm concerned if this pipeline goes through unique marine mammal habitat, and the area I'm most concerned about is the area where the pipeline crosses the U.S./Canadian border.

And we have Orcas that were recently designated as depleted by National Marine Fisheries Service. They're currently being considered for endangered species listing by the

State of Washington. Boundary Pass is an important travel route for them usually beginning in April of each year. And in recent years they've continued to use that area into January and even February, though historically they were generally out of there by October as far as we know.

That area is also home to Harbor Porpoises. And in my experience it has the highest density of Harbor porpoises of anywhere in the State of Washington. Harbor porpoises, recent stock assessment reports, have been considered to be approaching levels at which they could be considered depleted, although they're not currently listed by the National Marine Fisheries Service.

That area is also used by large numbers of Steller sea lions. Steller sea lions are considered threatened under the Endangered Species Act.

And all three of these species are easily disturbed by noise. And we had a recent example of that here when the U.S.S. Shoup came through Haro Strait and significantly changed the behavior of killer whales. And we had significant increase in Harbor porpoise mortality associated with the period of time that the Shoup was using sonar in the intra-waters of Washington State. And in my study of responses of marine mammals to air guns, Steller sea lines were much more easily disturbed than other species.

The area is also used by large numbers of Harbor

seals, Dall's porpoises and to some degree by Minke whales. Minke whales and Dall's porpoises also showed strong responses to noise when the Shoup was coming through. However, Dall's porpoises are generally relatively noise tolerant as marine mammals go and Harbor seals seem to be relatively tolerant of disturbance.

In addition to marine mammals, that area is also crucial to birds and is a feeding area for Bald Eagles, Great Blue Herons, Common Murres, Marbled Murrelets, Pigeon Guillemots, a variety of Cormorant species and a variety of gull species. And the highest densities of all these species that I've seen in Washington State waters were in that area and just east of the Canadian border where the pipeline crosses into Canadian waters.

Let's see. There's been an effort in recent years to reduce noise exposure in the marine environment. Just yesterday we had a Federal Court issue ai ruling restricting use of low-frequency active sonar by the U.S. Navy to areas where it was least likely to disturb marine mammals.

There was a proposal to carry out a seismic survey in waters of Juan de Fuca Strait and off the west side of Vancouver Island. That survey was postponed due to effect of noise on marine mammals in the area. The Navy is currently reviewing its use of mid-frequency sonar in intra-waters to try to reduce incidents like those connected to the Shoup earlier

this year.

The Canadian government has begun prosecuting whale watch operators for harassing marine mammals and the National Marine Fisheries Service has recently sponsored studies of the effects of vessel traffic and noise on killer whales as part of the recovery plan and process for that species.

And GSX has produced conflicting reports about the amount of noise that the pipeline is likely to produce. Their initial report indicated the pipeline would produce enough noise to be of concern. However, they produced more recent reports suggesting that noise levels were overstated in the initial report and it's possible that operating noise may not be a concern after all. 1

However, construction noise will be a concern and it will be necessary to take the impact of that noise into consideration when scheduling times of year that construction can be considered.

For example, the area along the pipeline route is, as I mentioned earlier, fairly heavily used by Orcas from April probably through January under present conditions, and - and there's been consideration of allowing construction, say, in February and March. However, March seems to be part of the calving season for Orcas. And we have at least one pod that uses intra-waters regularly, even during March. 2

So while that may be a way to minimize the amount

of total exposure of Orcas to noise from the pipeline, it may result in exposure of some of the most vulnerable members of the population.

And - and the data we have on construction noise says that it's going to be quite loud relative to other noise in the environment. And GSX has mentioned that that area is heavily used by vessel traffic. However, during my research in that area this spring, I did not find anywhere near the level of vessel traffic that GSX had reported. That probably is partly due to limited use of that area by recreational traffic at that time of year. 3

And then also it should be pointed out that this is a very long pipeline and vessels traveling through, say, the waters near Vancouver Island may be part of their count, but they would not be influencing acoustic environment in this unique area that I've mentioned.

Let's see. Secondary concern I have is that the trenching operations for the - for the pipeline will be disturbing sediment, and we need to know what the toxin levels are in those sediments. And there are a variety of studies that have sampled different areas. And while we don't think the pipeline goes through heavily - or sediment that's containing high levels of toxins, the sheer quantity of pipeline of that length is going to result in very large quantities of sediment being disturbed. And even at low concentrations of toxins, you 4

may get a significant total amount put into the environment.

And these toxins will initially be taken up by benthic organisms, which will be fed upon by bottom fish, which will be fed upon by marine mammals. So, through time, these - the toxins that are disturbed will work their way through the food chain. And, to date, I think there's been inadequate sampling to determine what the likely outcome of - that's likely to be as these toxins reach the top of the food chain.

We already know Orcas have very high levels of toxins. And - and these levels of toxins are associated with reproductive failure of Bottlenose dolphin in captivity. And we've observed L-pod producing fewer than half the number of expected calves over the last ten years, and toxins are a potential mechanism for that reduction in calving.

So we need to be concerned that putting additional toxins into the environment may not - will only further reduce calf production by L-pod, it could also put J and K over the limit and may start seeing a reduction in calving rate in those pods, as well.

4 cont.

So in the interest of staying close to five minutes, I think I'll stop there.

HEARING OFFICER: Okay. Thank you.

Mr. Dave Hylton.

DAVE HYLTON: That's me.

HEARING OFFICER: Okay.

DAVE HYLTON: I'm Dave Hylton, H-Y-L-T-O-N. I live here on San Juan Island and have 35 years of engineering background and - and career in the pipelines' engineering.

My - my main concern of this project is the safety of the pipeline offshore in the deep water sections. I've-- The onshore sections can be done. The shore crossings can be done. But the offshore is - is a, in my view, is beyond the state of the art of current construction and design. There has, to my knowledge, never had a pipeline that's in a tidal current zone that's over a thousand feet deep, both to install it and to operate it. And particularly in a very active seismic zone. **5**

You have to visualize a pipeline that's operating over 2000 PSI, which is, any of you can understand that, would be like a cylinder of high pressure oxygen, that's - which is typically over two thousand pounds pressure in the pipeline. So it's a very high-pressure pipeline. And it's - it's in a - contained in a 16-inch pipeline that has in their design to be laid on top of the ocean floor.

And when they - speaking of laying it on top of the ocean floor, you have to visualize that as being on top of a mountain, the side of a mountain or the edge of a mountain, because that's what you have below the surface of the water is you're really laying this on the side of a mountain. And it will not be trenched. It will be laying on the surface. And **6**

yet that is not actually - actually continuously laying on the surface, it's between boulder to boulder or hill to hill where it's spanned, free spanned with space underneath the pipeline and water flowing around the pipeline during tidal currents. 7

So you have to visualize this steel pipe that's - barely has a negative buoyancy that's - is riding there carrying gas at 2000-plus PSI.

And in their description to install this pipeline they say, "Well, we're going to try and not lay it on boulders and we're going to have a remote television down there a thousand feet deep looking for where it's sitting on boulders. And if it is sitting on the boulder, we'll back up and try to move it sideways and take the off the hills.

So this is-- This is all theoretical in my view because it has never been done before in a thousand feet of water with high currents. And, bear in mind, this operation is done 24 hours a day. It's a continuous operation, 24 hours a day. Night and day they - they build pipelines.

So the chances of - of overstressing the pipe during construction are, in my view, very high and would cause distress in the future of the pipeline, the operating when the pressure is up at operating pressure. 8

The - the concerns that they talked about in the safety section of the EIR-EIS, they used a comparison study. It was done with liquid pipelines instead of gas pipelines in - in 9

the State of California. So their reference, I think, is erroneous to draw conclusions for the safety of the pipeline, which is an offshore pipeline. **10**

Particularly in the event of a - of an earthquake where you have the ocean floor sliding downhill. It would slide downhill and carry the pipeline with it and probably break it. It would rip it and break it. Or an anchor could drag it and rip it and break it. So there's-- It is a highly trafficked area. **11**

So I guess my-- In concluding, I would like to say if the pipeline breaks, you'll have either a - a huge leak or a small leak and it would be at 2000 pounds pressure. You would have a large volume of natural gas coming to the surface, which does two things. It burns. And so if there's a vehicle, a boat -- Lots of boats -- if there's a boat there, it would be enveloped in flame. And - and/or it would - the boat would sink. Because when you have gas bubbles coming up from the ocean, the buoyancy effect of the water your boat's in is diminished and boats sink. That's happened on several occasions in real life. **12**

So there's - there's a risk of sinking a boat because of loss of buoyancy of the natural salt water and a risk of fire. So there's-- Obviously, this is a worst case scenario, but when you look at safety concerns, you always look at the worst case scenarios. They are credible. They're

credible events that could happen.

And the EIR-EIS, they talk about the fact that it is an active earthquake area and that the ocean floor will move.

So they've - they've agreed that this will all happen. They haven't considered the consequences of it happening though.

That's kind of my - my concerns in a nutshell.

HEARING OFFICER: Okay.

DAVE HYLTON: That's it.

HEARING OFFICER: Thank you.

Francine Shaw.

FRANCINE SHAW: My name is Francine Shaw. I am with the San Juan County Community Development and Planning Department.

And I put my name on the list to testify, but I am, at this point, going to reserve my comments. Put them in writing to you by the end of the comment period, by October 25th. There's a lot of information that's been provided just in the short two discussions that we've had that I would like to think about when I review the documents. **13**

HEARING OFFICER: Okay. Thank you.

Fred-- Is it Felleman?

FRED FELLEMAN: Felleman.

HEARING OFFICER: -- Felleman. Okay.

FRED FELLEMAN: My name is Fred Felleman. I have

a place on 1060 Smugglers Cove Road. And I have - wear several hats in the context of this pipeline. I'm the President of the Fuel Safe Washington, a small, non-profit organization that was founded to raise concerns about the natural - the-- Actually, the oil pipeline that was going to be over the Cascades to-- And I've been involved with the Lowe Point Project and the Olympic Pipeline concern. So we've had a lot of interest in that.

I also have a long history of being involved with conservation of the marine environment, Northwest Orca Ocean Advocate and on the Board of Orca Conservancy. So my having a long time living here for the study of killer whales, I have a lot of concerns about a project that is basically speculative.

And there is a need to revisit the whole need for a project like this, whether-- Whether there's adequate mitigations or not, there's obviously impacts. And one has to - to determine first is there a reason to be - being subject to the impacts, no less the mitigations when, in fact, the actual fuel plant that this pipeline is supposed to serve is now no longer on the drawing boards.

So this - this project is now completely a speculative project that the - that the elected officials in Nanaimo have determined that the need for this gas plant that this pipeline was supposed to feed is no longer needed. And that they were to find more cost-effective alternatives. **14**

I would like to really back up a second and express my appreciation to the Department of Ecology in their efforts to require a Supplemental EIS on this project for it is full of - the FERC process has been full of holes. And that I also appreciate the fact that you're holding two public hearings and including one in the San Juans. And - and the fact is I believe this is the only document I've seen so far that's actually tried to put in one place a discussion of the Canadian side of the project.

Fuel Safe Washington is - has filed a legal claim against the - challenging the adequacy of the FERC EIS in the Appeals Court in part because the EIS does not consider the impacts on Canada. And - and NEPA, the National Environmental Policy Act, requires us to consider the impacts on another country. We have two separate EIS's on either side of the border, neither of which are referring to the other. **15**

And, in fact, the alternatives being discussed between these two countries are different. And this is of great concern to me in that Canada is the great repository of hydrocarbons and the United States is the great consumer. And so there will be, we expect in the future, many more such projects crossing from the Alberta oil fields into the Midwest and other states that will probably be fraught with the same types of bifurcated analysis that does not address in a unified fashion, a holistic manner, the impacts of the overall project. **16**

And we feel it is a terrible precedent to allow FERC to conduct themselves in such a piecemeal fashion.

So I appreciate Ecology's efforts and see that this document goes some distance to improve upon that. However, in the-- In - in providing some initial comments here, not having had a chance to review it in - in complete -- Things are a little busy these days -- I will be providing some additional comments in writing. But the--

There is recognition that San Juan County has characterized these waters as aquatic in their coastal zone consistency determination; but there is no, I think, determination as to whether being a - a-- Basically, a - a corridor for this pipeline is consistent with the County's designation. 17

And, as Dr. Bain referred to, having the totem species of the Sound declining 20 percent over the last five years, now being characterized as "depleted" -- And we're also litigating that it should be on the threatened list under ESA -- this is not the time to be subjecting our marine resources, no less our - our totem species to additional impacts when they are in a depleted condition.

Now, the EIS and the SDEIS are rather dismissive about the acoustic impacts in that they say that these frequencies and intensities are not of concern to marine mammals. But there is no mention of the acoustic impacts on 18

fishes. And the fish of greatest concern to me -- And it's amazing to me that in the original comments to the DEIS and the EIS neither DNR or DOE raise concern about the Cherry Point herring stock. The once largest herring stocks in the State of Washington, equal to all the other stocks combined, is now a mere fraction of their historical volumes. And to think that we are going then to lay a pipe that is currently proposed to be tunnelled underneath these herring beds to bypass the DNR's aquatic reserve, but the "glory hole," as it's so affectionately referred to, has a expected effluent of the drilling mugs that will then be cast onto the sediments, which will be likely passed over the herring beds. **19**

Herring are extraordinarily acoustically sensitive species. Most species with swim bladders are so. Herring are particularly acoustically sensitive because they're mass spawners. And I don't know whether if it's they're bashful or it's just a good predatory response, but when you group up to do your business, this is a very vulnerable time in their life history and they're easily spooked. Having a low frequency hum in the background of a stock that is in need of remediation, not further insult, is a completely inappropriate - inappropriate project to be subject to. **20**

And I guess the only other comment I would like to make at this time is that there's a comment made in here -- And I don't know if it's in reference to the EIS or just in the

citation of the EIS -- but in talking about how this - there's portions of the pipeline that will not be able to be buried. I guess we should step back a minute just in terms of the laying of the pipeline.

You know, first this entire sediment area will be scraped. So the benthic environment will be directly impacted. Then it will be carved, to the degree that it can be, where it's not too hard or to deep. And then the pipe will be laid and some attempt for burial.

So, you know, for all the efforts in the state about rockfish, this is directly impacting the very habitat that the benthic species, like rockfish, inhabit. But in - in what sounds to me like would be only something you would find in a Gulf state EIS, where if you've ever been in the aquarium in New Orleans, where they actually have the oil rigs' legs in the aquarium and they show how encrusted they become and they go, "Look. It's habitat." **21**

So we describe the pipeline as forming reef-like structure. I mean, such euphemisms for a insult to our habitat is, I think, egregious and inappropriate. Especially in that when the pipeline is laid at the surface, especially at places like East Point -- "Boiling Reef" it is affectionately referred to on the charts -- this - this will not be habitat. This will be scraping repeatedly through the currents and obviously a place of great vulnerability and one of the key migratory **22**

corridors for the species of great concern to this State.

So while I do appreciate the advancement this document has made, it has room to go.

Thank you very much.

HEARING OFFICER: Thank you.

Okay. Is there anyone else who would like to testify that did not indicate when they signed in on the sign-in sheets? Not?

Well, I certainly didn't expect this to end so quickly. Okay.

DAVID BAIN: I got some more I could say.

HEARING OFFICER: Oh, well, if you want to come up and say some more, you're more than welcome to.

FRED FELLEMAN: Don't stop now.

HEARING OFFICER: Remember, it's your ferry ride.

DAVID BAIN: Still got over an hour.

HEARING OFFICER: Oh, my gosh.

DAVID BAIN: I won't talk that long.

HEARING OFFICER: (Coughing) Excuse me.

DAVID BAIN: Okay. A few things I would like to add.

One point on the acoustics. The measurements have all been focused on the noise generated by the gas moving through the pipeline. And there's been, you know, brief mention of machine noise that may be propagated through the pipeline, as

well. But, as the other speakers have mentioned, this pipeline is going to be in a high current environment and that means that it's going to be bending and creaking and things like that. And, you know, particularly at times of high current, there's likely to be additional noise. And, to date, there's been no attempt to model that that I'm aware of. **23**

I would also like to point out that because the pipeline route goes through unique habitat, that means there's alternative habitat farther away that would offer an alternative route. For example, existing central pipeline, which may be the Terasen option that's posted on the wall, is far enough north that it's not very heavily used by southern resident Orcas, Harbor porpoise densities are much lower up there, and it would be an area where you would put a pipeline and have much smaller effects on marine mammals and marine birds than the proposed route. **24**

It was also mentioned by another speaker that British Columbia is having second thoughts about whether they need this pipeline now. And, with that in mind, even if this route is to be used, if it could be used several years from now, that would be beneficial. Natural Marine Fisheries is just starting on recovery planning for Orcas and should have an action plan ready by the end of next year. So if they had a chance to implement that plan and give the population, say, ten years to recover before this pipeline were built, they'd be in a **25**

much better position to tolerate that disturbance. Likewise, Harbor porpoises could be given some time to recover. And Steller sea lions are another population that could use time to recover before this pipeline goes in. **26**

So if the benefits that we saw for this pipeline at the time that we're experiencing energy shortages are not as real as we thought they were, just as there have been suggestions that the energy shortages were due more to market manipulation than the actual availability of energy, if we could delay the installation of this pipeline, there would be benefits to marine mammals. **27**

It's also been pointed out that having a hard pipeline going across soft sediment changes the habitat structure. And if you happen to be a hard bottom species, that change in structure may be beneficial to you. But if you're a soft bottom species, this basically gives predators a place to live. And then they can go out and feed upon you. It also provides a route for invasive species to traverse soft bottom habitats. So if you have an invasive species that likes hard habitat, this pipeline gives it the opportunity to move to new areas that it might not be able to access otherwise. **28**

And invasive species are another environmental problem that recent efforts have started to address. And it's something that if we can buy time before this pipeline goes in, there may be some actions taken to reduce the number of invasive **29**

species in the region so that their movement across the pipeline route will be less of a concern.

Thank you.

HEARING OFFICER: Okay. Thank you.

Okay. Is there anyone else who would like to provide testimony?

No? Okay.

Okay. All the oral testimony that was presented at this hearing, as well as the hearing that we're holding tomorrow night in Bellingham, and any written comments that are received are part of the official record for this proposal and will receive equal weight in the decision-making process.

On the back-- On two back tables there are two-- There is a form back there that I've prepared. Sometimes providing oral testimony is a little uncomfortable for folks, unless you're someone like me who likes to talk. And so if you would rather provide written testimony, please feel free to take one of the forms back there, fill it out at your leisure, but make sure that we get it by October 25th. And I'll give a little bit more information on that later. The address is on the form. But it gives you an opportunity to kind of digest things you've heard tonight and maybe research out more information. And you can submit written comments. And, as I've said, written comments receive as much weight in what Ecology will ultimately decide as oral comments. There's no difference

between the two.

Written comments should be postmarked, faxed or e-mailed by October 25th, 2003. And they will go to Sheila Hosner. And her last name is spelled H-O-S-N-E-R. And please send written comments to Sheila at the Department of Ecology, 3190 - 160th Avenue Southeast, Bellevue, Washington. 98008-5452.

You may fax comments to her. Her fax number is area code 425-649-7098.

You may also e-mail comments to Sheila. And her e-mail address is -- And this is not case sensitive -- shos461@ecy.wa.gov.

All oral and written comments received during the Public Comment period will be responded to in a document called a Response to Comment Summary that will state Ecology's official position on the issues and concerns that have been raised during this Public Comment period. This document should be available by mid-November. That's my understanding. And it will automatically be mailed out to everyone who provided oral or written comments.

It's also my understanding that Ecology is expecting to make a decision on the Final Supplemental Environmental Impact Statement by around Thanksgiving time.

So, on behalf of the Department of Ecology, thank you very much for attending our Public Hearing. We appreciate

your time and the comments that we received tonight. And this Public Hearing is adjourned at 6:10 p.m.

A VOICE: I was wondering if you would share with the audience the legal challenge that's before the agency regarding your ability to complete this document.

HEARING OFFICER: That I don't know. Barry-- I - I-- Do you know something about this?

BARRY WENGER: Well, actually, legal challenge is not about if we're going to complete the document. We're going to complete the document, go forward with our process. The shoreline permits, the Water Quality 401 Certification that we have to have issued, and we have all the authority to do that. The - the proponent has actually petitioned FERC saying that we - we've made procedural errors along the way and that we've lost our opportunity to - to call the Coastal Zone Management Federal Consistency Determination based on Shoreline Permit and Water Quality 401 Certification. So that's been petitioned or replied through our Attorney General's Office. And who knows where it goes from there exactly. But they will-- They will hear all the evidence and make some decision on it.

HEARING OFFICER: Okay.

A VOICE: And I see the comment deadline is a Saturday.

HEARING OFFICER: Um-hum.

A VOICE: So that's to be received at the agency

on a Saturday?

HEARING OFFICER: It could be sent by e-mail. It just has to be postmarked by that date.

A VOICE: Postmarked? Karen darn this is.

HEARING OFFICER: Postmarked by that date. Or, as I said, e-mail. Definitely e-mail on a Saturday. That's not a problem.

Okay. Anything else? Thank you. Have a safe journey back.

(Whereupon, the Public Hearing was adjourned.)

REPORTER'S CERTIFICATE

I, KAREN P. SHIPLEY, CSR No. 2051, Certified Shorthand Reporter, certify;

That the foregoing proceedings were taken before me at the time and place therein set forth, at which time;

That the testimony of the citizens were recorded stenographically by me and were thereafter transcribed;

That the foregoing is a true and correct transcript of my shorthand notes so taken to be best of my ability to hear and discern.

I further certify that I am not a relative or employeeof any attorney of the parties, nor financially interested in the action.

I declare under penalty of perjury under the laws of Washington that the foregoing is true and correct.

Dated this 27th day of October, 2003.

KAREN P. SHIPLEY, CSR No. 2051
360-679-8493
1204 Hersig Road
Oak Harbor, Washington 98277

GEORGIA STRAIT CROSSING PIPELINE PROJECT

(Williams Gas Pipeline Company and BC Hydro Gas Pipeline)

SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

Public Hearing

(7:08-7:39 p.m.)

October 15, 2003

311 Grand Avenue

Bellingham, WA

HEARING OFFICER: BEV POSTON

Staff in Attendance: Shiela Hosner
Barry Wenger
Joan Pelley
Richard Butler

KAREN P. SHIPLEY, CSR No. 2051 - 360-679-8493

I N D E X

10/15/03

Testimony received from:

Whereupon, after preliminary comments, the following proceedings were had:

HEARING OFFICER: Okay. If everybody could please be seated, we'll go ahead and begin the Public Hearing. And I'll give you the high sign.

(Preliminary Remarks.)

Let the record show -- And I use my watch because it's always right, even when it's wrong -- let the record show it's 7:08 p.m. on October 15th, 2003. And this hearing is being held in the Whatcom County Courthouse, 311 Grand Avenue, Bellingham, Washington.

The primary purpose of this hearing is to receive public comments regarding the proposed Supplemental Environmental Impact Statement for an 85-mile natural gas pipeline proposed by Williams Gas Pipeline and BC Hydro. The Draft Supplemental Environmental Impact Statement was published on September 24th, 2003 which opened up the Public Comment period.

The legal notice of this hearing was published in the Bellingham Herald and the local San Juan paper on Wednesday, October 1st, 2003.

The hearing notices were also published in the SEPA Register, No. 200306075.

In addition, display ads were published in the Bellingham Herald and the local San Juan paper on Sunday,

October 5th, 2003.

Ecology also directly mailed out approximately 400 announcements to interested parties, Washington State and U.S. governmental agencies, Canadian agencies and the Washington State Tribes.

Okay. At this point in time when I call your name, if you would please come up and give your testimony. And we will be limiting testimony to five minutes. But you can say a whole heck of a lot in five minutes. I just want to give everyone an opportunity to come up and provide testimony. And when everybody has-- I've gone through the list. And when everybody has done that, if we have time left over, I will certainly allow folks to come up and provide additional testimony if they feel they didn't have enough time to say all the comments they wanted to say.

So the first person who indicated they might like to provide testimony -- wasn't too certain -- was Mr. Tom Edwards.

Mr. Edwards, are you interested in coming up? Okay.

If you could come up here and speak into one of the microphones. And please state your name and affiliation for the record. You may begin, sir.

TOM EDWARDS: Hello. My name is Tom Edwards (indiscernible) from the Lummi Nation and my testimony I wanted

to give about the Georgia Strait Crossing Pipeline Project is regarding cultural resources. And there, I was looking out there at your paper handout, what the next steps were going to be. And I think, one, I didn't see anything mentioned on cultural resources. Two, also out of those cultural resources there are nonrenewable resources towards the Lummi Nation and the Lummi community. Also, there's a process called 106 process. Also, we would like to see how - how can we incorporate our Lummi Nation's Title 40, which is - which covers cultural resources within the project. And that's what I got to say. 1

HEARING OFFICER: Thank you.

Okay. Mr. Fred Schuhmacher.

FRED SCHUHMACHER: Hello. My name is Fred Schuhmacher. I live at 5583 Whitehorn Way in Birch Bay.

My reservations about this projects are: First, I believe that a building of this pipeline is counter-productive to the health and welfare of the people of Whatcom County. There is no economic benefit for Whatcom County, Washington or for the U.S. for that matter. There is no additional gas supply. But we will be left with a ten thousand horse power compressor station with its attendant noise and air pollution. 2

Second, I believe that building this pipeline will have environmental consequences that will affect people far beyond Whatcom County for the following reasons. The purpose of 3

the pipeline is to supply energy for the growth of population and industry on Vancouver Island. Victoria's capital regional district is the No. 1 polluter of the body of water that we all share. More than 12 million gallons of raw sewage are discharged annually through underwater outhauls in the Strait of Juan de Fuca. Victoria is the only large city along the West Coast of North America that dumps its raw sewage and anything that goes with it directly in the ocean. It does this without regard to the health and welfare of its neighbors across the Strait of Georgia or the Strait of Juan de Fuca.

Extensive areas along the outfalls have now been close to shellfish - shellfish harvesting. Any city in the U.S. in similar circumstances would be under a strict moratorium on further growth until the situation was corrected. Victoria, however, seems determined to flaunt the environmental laws of its own province and has no intention to stop this deplorable practice.

3 cont.

Until Victoria builds a modern treatment facility for this waste, building this pipeline is a bad idea. It will encourage further growth on Vancouver Island, which will increase the volume of raw sewage that will be discharged into the water. Water has no boundaries and the increased pollution will affect marine life and all people living along the coast in this region.

Thank you.

KAREN P. SHIPLEY, CSR No. 2051 - 360-679-8493

HEARING OFFICER: Thank you very much.

(Applause.)

HEARING OFFICER: Okay. Wendy Steffensen.

WENDY STEFFENSEN: Wendy Steffensen. North Sound Bay Keeper With Resources. First, I would like to say that I question whether need has actually been demonstrated for this project. I've looked at most of the documents. Specifically, the need section. And two things haven't been looked at in detail. 4

First of all, the fact that the Vancouver Island Generation Project has been denied. So that has been the main impetus for GSX going through, and that has been taken away. 5

Secondly, the alternative analysis looks very faulty in the SEIS. From what I can read on the alternatives analysis these were discounted because they were either too expensive or quote/unquote "environmentally damaging." The expense amount, No. 1, doesn't take into account the environmental costs of doing things. 6

Secondly, in terms of the environment cost, they cite two things over and over again. One is the looping of pipeline. And the looping, I found out, is the same thing as twinning, which-- So it-- Basically, it means the pipeline is running right alongside the other pipeline. And so when they talk about looping through mountainous terrain, they're basically talking about running a side-by-side pipeline. So the 7

blown out environmental cost to looping through mountainous terrain really pales in comparison to going to the Cherry Point area.

The other thing they mentioned in one of the alternatives is that the pipeline would go through a fault zone and be subject to - to liquefaction. Going into more detail into the FEIS, we have moderate to high liquefaction risk, as well, in Whatcom County. Specifically, Northern Whatcom County, about one-third of the pipeline is going to be going through moderate to high liquefaction areas as well as Cherry Point, which has just been designated Aquatic Reserve. That near-shore area also has high liquefaction risk. 8

So it appears to me that the alternatives analysis was - was done with an end in mind and not open-mindedly. And that's on the FEIS, FERC's FEIS.

The other thing that I wanted to mention is that it looks like our energy needs aren't being looked at cumulatively. As I said before, theoretically, we're-- This-- The energy is supposed to be used by Vancouver Island and then off in the distance you hear people saying, "Well, maybe it will be used by Cherry Point at some future - some future time" and - and that's used to basically bolster this argument of getting the pipeline through. 9

However, now we have BP co-generation plant being proposed at Cherry Point. And so if, indeed, the pipeline is -

is being gotten through because we think that we're going to use energy at Cherry Point, I think we should be looking at - at the entire energy picture. 9

I also-- I looked at the Draft Supplemental EIS and some of the changes that were made to the EIS where - where GSX-U.S. went back and they increased mitigation measures, as well as flush out some more detail. And when you look at some of this information on the surface, it looks like they're going to do more than they were before. And some of these measures look like that they will be adequate. However, mitigation is - is always problematic. There will always be environmental degradation associated with this process and we haven't shown that it's needed. 10

I will be submitting specific comments later.

Thank you.

HEARING OFFICER: Okay. Thank you.

(Applause.)

HEARING OFFICER: Kate Schuhmacher.

KAY SCHUHMACHER: Hi. My name is Kay Schuhmacher. I live at the 5583 Whitehorn Way, Birch Bay.

I rarely make a comment, but this GSX project compelled me to speak. I need to wear (indicating eyeglasses)-- Because I feel I have such a strong feeling about this project.

I don't know, no matter how I look at this project, there is no beneficial side for not only Whatcom County

but whole Northwest, for that matter the State of Washington. I can see the beneficial side maybe. These days I hear so much over any unpopular project going through. They are trying to have, says, pitch over job creation. I buy that. It might create the jobs, which will be temporary. And maybe a State government or Federal government might be able to collect some revenues from BC Hydro and the Williams Company. But the environmental impact it will create is so huge that I really have to speak my mind.

Now, I think it was this morning's Bellingham Herald that I read even Navy is going to try to be very careful with their sonar tests for the whales' sake. And, you know, I believe in coexisting with marine life, as forest. Without having all those nature, what they provided, marine life, we don't-- We don't survive very well, you know. So I do not really like to hurt them in any way. 11

And I feel this project, there is so much unknown facts they are trying to prove. Their monitoring shows this and this. There is no proof it is going to be really safe for our marine ocean, marine - marine life. And so that's my biggest concern.

And, you know, job creation. Okay. People will have the jobs; make some wages. But that's temporary. Once the job's finished, work is done, their paycheck is gone. They have to go move on to another job. 12

And the only benefit that might give is Williams Company and BC Hydro. What do we end up? We will end up with a long-term altered ocean marine life ecosystem. And that will be long lasting effect which comes from this project.

Therefore, I really oppose this project to get - to be approved.

Thank you very much.

HEARING OFFICER: Okay. Thank you.

A VOICE: Good job.

HEARING OFFICER: Bud Askew. I hope I said that right.

BUDD ASKEW: Hello. My name is Budd Askew and I owned my land on Lynden/Birch Bay Road for about twenty years now. It was about 95 percent wooded when I bought it. I've been a horticulturalist for thirty years, and I looked at it as an overgrown landscape. I cleared out the center of it. Kept all the trees, big Evergreen cedars, all the way around it. And got it just the way I wanted it. It's like a park. There's a pond in the back. I have a house site that I plan to build.

And as you look out to the east side (indicating), I know you probably can't see very well, but it looks like this right now. That's how it will look once they put the gas line through.

In no way do I want a gas line through my property. They're deviating from a route that they were

13

following on another gas line and they decided to come through my place because then they just got to deal with my place and ten acres is cheaper than four two-acre tracts. I have a gas line 150 yards on one side, which is Cascade, and I have Arco about 20 yards on the other side. Why we need one through the middle of my place, I really don't know. I'm very opposed to it and haven't had very good luck dealing with the gas company. They've told me one thing. Shaken hands on-- Actually had a deal one time. Shook his hand. He came back with a totally different deal and I ran him off my property and I don't care to have him on my property because I don't like to deal with dishonest people.

13 cont.

And I see no - no gain for Washington, Whatcom County, myself; anybody except maybe Williams Gas Line and BC Hydro.

That's about it.

HEARING OFFICER: Okay. Thank you, sir.

A VOICE: Are the mikes turned on?

HEARING OFFICER: Yes, they are.

A VOICE: Don't sound like it because it's hard to hear in this room.

HEARING OFFICER: They're on. Local staff came and turned everything on for us. I think it's maybe just the position of some people. It seems like you have to be extremely close to them and maybe some folks aren't quite as close.

Okay. Oh, boy. I hope I don't say this wrong and I apologize if I do. David, is it Sergman.

A VOICE: Sergman.

HEARING OFFICER: Sergman.

DAVID SERGMAN: My name is David Sergman and I live on Kickerville Road. This pipeline is going to be within 600 feet of my house, and I have several issues that, you know, really should be talked about here first. I think I'm going to start with a requirement of the original Environmental Impact Statement. The FERC had asked Williams to provide information on locations of raptor routes used by eagles, other raptors. And I find no where that they've ever responded to that request by the FERC.

Then I know that on my piece of property, which is ten acres, that bald eagles use the trees to roost. There are owls hunt on my property. We have red tail hawks. We have peregrine falcons. We have doves, woodpeckers. All of them use our property. And, you know, I find it quite disappointing that the information that the FERC requested is nowhere to be found anywhere. **14**

Point number two I want to make is about Tartar Creek, where the project crosses at Mile Post -- what is it here? -- 27.16 -- This is mile post up there (indicating). This is the U.S. Department of the Army Corps of Engineers report states in here that there is no impact on any Federally-listed **15**

species and that they're going to use an open cut method to cross Tartar Creek.

I have personally seen salmon spawning in Tartar Creek. The ones I saw were silvers, but I do know that Tartar Creek is tributary to California Creek, which has King salmon. And I'm sure that if silvers spawn in that creek, that the King salmon do. **15**

Then I want to talk about this 500-foot buffer zone for the utility corridor that the Whatcom County Planning Department has imposed as part of this project. This 500-foot buffer zone takes up all but three feet of a 5-acre parcel of property. And yet, you know, Williams offered $10,000 for their impact on this piece of property. This piece of property, since it's being zoned as a utility corridor by the County Council and Planning Department, should be valued at industrial property rates because it's being used for an industrial use. The landowners can't benefit from this use. Only the pipeline companies do. Yet the landowners are still paying the property taxes on the pipeline right-of-ways. To me, that's wrong. **16**

The book that you guys sent out, GSX says the pipeline does not cross into any Urban Growth Area; but, yet, my property is in the Birch Bay Urban Growth Area. **17**

Then I want to move on to earthquake faults, which only two of are identified in this book (indicating); but, yet, the pipeline crosses 17 other earthquake faults along its **18**

route to Vancouver Island underwater. Why are there no mention of that in here (indicating)? They are identified in the original EIS (indicating). And they should be addressed. **18 cont.**

Let's see here. Now, I would like to speak a little about the SE2 and the BP power projects.

When GSX first proposed, there was mention that if SE-2 is proved, Georgia Strait Crossing will move their pipeline 15 feet closer to SE-2 supply gas for SE-2; but, yet, there is no Washington use of this gas according to GSX. And same thing for BP Power. BP originally-- Their plan was to be a Grand View Jackson Road for their power plant. It has now been moved closer to a BP pipeline route and that is their plan. **19**

Again, there's no Washington use according to GSX for this pipeline. Hundred percent of it is supposed to go to Vancouver Island. Anything that's not used on Vancouver Island will be back-hauled through the pipeline, back into Canada, headed east to the mountains, connects through another pipeline, goes back down between - or Washington and Idaho area, into Oregon, and then is piped back up through. And maybe Washington residents will get some of that gas if there's any left.

Since Power X (phonetic) is not going forward and they are the beneficiary of hundred percent of this pipeline, according to GSX, and it's stated in the Environmental Impact Statement that Power X is not going forward with their plant, where is the use or the need for this pipeline? **20**

And then I, you know, I was thinking, you know, Terrill Creek (phonetic), which is another creek like, I don't know, thousand yards from my house, they're starting restoration projects, starting this month, for salmon enhancement to bring back the runs of silvers and the chum. And, you know, that - that pipeline is going to have an effect on those restoration efforts. They can say they'll have no impact, but they'll have an impact. **21**

That's pretty much all I have to say about this other than I'm opposed to this pipeline. They have badgered and pushed people into accepting their low ball prices for the right of ways they want. It happened to my mom. I heard it happen to the last gentleman that spoke. And he was right. They need to be run off the property and not be spoken to.

Thank you.

HEARING OFFICER: Thank you.

Dave Roberts.

DAVID ROBERTS: Dave Roberts.

Good evening. I'm David Roberts. I'm here representing the Department of Natural Resources.

Washington State Department of Natural Resources is responsible for the management of State-owned aquatic lands and, specifically, the aquatic lands being proposed for the Williams pipeline right of way.

DNR is in the process of establishing the Cherry

Point area as a State Aquatic Reserve. The objective of establishing the aquatic reserve is to protect and support unique aquatic systems and functions at the Cherry Point site.

DNR is presently initiating the development of a Management Plan and Supplemental Environmental Impact Statement through the State of Washington's Environmental Policy Act for the proposed Cherry Point Aquatic Reserve.

The DNR's interim policy for areas being proposed as aquatic reserves requires that future leasing activities that will be authorized or prohibited within the aquatic reserves will be established after the area is formally designated as aquatic reserve and the site-specific Management Plan has been adopted.

The Management Plan, along with the Supplemental Environmental Impact Statement, are scheduled for completion in April, 2004. At that time DNR will determine if the proposed GSX pipeline can or should be sited within the Cherry Point Aquatic Reserve and, if appropriate, the conditions for allowing its use.

DNR finds the proposal acceptable at this time only if the pipeline can be placed under the reserve so as not to disturb the habitat and thus surface outside of the reserve.

22

If the pipeline cannot be placed under the reserve, decisions regarding its placement on the bottom within the reserve will be included in the Management Plan.

We request for consideration of DNR's interim guidance for the site and the conditions to be established in the Cherry Point Management Plan when reviewing the Williams gas line proposal.

22 cont.

DNR's SEPA schedule for meetings regarding Cherry Point are as follows: October 22nd, 2003 will be a Scoping Meeting. January 15th, 2004 we'll have a Public Meeting, if necessary, to review the Draft SEIS. The full Public Hearing for the Draft EIS and SEIS, Management Plan, boundaries and Public Benefit Analysis will be on January 26, 2004.

We welcome public comment through the SEPA process on the Cherry Point reserve and its Management Plan. Those who have questions regarding the process and the Management Plan are requested to contact Dave Palazzi, that's P-A-L-A-Z-Z-I, our Aquatic Reserves Manager at (360)902-1069.

Thank you very much.

THE COURT: Thank you.

HEARING OFFICER: Okay. At this time there is no one else who has indicated they would like to provide testimony. So I'm going to ask if there's anybody who has heard testimony here and has decided maybe there's some things that they would like to have put on the public record at this time?

No?

Okay. All the testimony that was presented at this hearing, as well as the hearing that we held last night in

Friday Harbor, excuse me, as well as any written comments that have been received are part of the official record for this proposal and will receive equal weight in the decision-making process.

Written comments should postmarked, faxed or e-mailed by October 25th, 2003 and they should go to Shiela Hosner. The last name is spelled H-O-S-N-E-R. The address is the Department of Ecology, 3190 - 160th Avenue Southeast, Bellevue, Washington 98008-5452.

Sheila's fax number is area code (425)649-7098.

Her e-mail address is -- And this is not case sensitive -- shos461@ecy.wa.gov.

All oral and written comments that are received during the Public Comment period will be responded to in a document called a Response to Comment Summary that will state the Department of Ecology's official position on the issues and concerns that were raised during this Public Comment period.

It will automatically be mailed out to everyone who provided oral or written comments. It is my understanding that the Department of Ecology is expecting to make some kind of decision regarding the Final Supplemental Environmental Impact Statement by Thanksgiving.

On behalf of the Department of Ecology, thank you for attending our Public Hearing. We appreciate your time, your comments.

KAREN P. SHIPLEY, CSR No. 2051 - 360-679-8493

And this hearing is adjourned at 7:39. Thank you.

(Whereupon, the Public Hearing was adjourned.)

KAREN P. SHIPLEY, CSR No. 2051 - 360-679-8493

REPORTER'S CERTIFICATE

I, KAREN P. SHIPLEY, CSR No. 2051, Certified Shorthand Reporter, certify;

That the foregoing proceedings were taken before me at the time and place therein set forth, at which time;

That the testimony of the citizens were recorded stenographically by me and were thereafter transcribed;

That the foregoing is a true and correct transcript of my shorthand notes so taken to be best of my ability to hear and discern.

I further certify that I am not a relative or employee of any attorney of the parties, nor financially interested in the action.

I declare under penalty of perjury under the laws of Washington that the foregoing is true and correct.

Dated this 27th day of October, 2003.

KAREN P. SHIPLEY, CSR No. 2051
360-679-8493
1204 Hersig Road
Oak Harbor, Washington 98277